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ACCOUNTS AND PAPERS:

THIRTY VOLUMES.

—(7.)—

COLONIES:

CEYLON;
KAFIR TRIBES—(CAPE OF GOOD HOPE);
NATAL.

Session

1 February — 1 August 1849.

36
VOL. XXXVI.

1849.

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ACCOUNTS AND PAPERS:

1849.

THIRTY VOLUMES:—CONTENTS OF THE SEVENTH VOLUME.

N. B.—*THE* Figures at the beginning of the line, *correspond with the N° at the foot of each Paper; and the Figures at the end of the line, refer to the MS. Paging of the Volumes arranged for The House of Commons.*

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- [1018.] Papers relative to the Affairs of *Ceylon*; with MAPS - - p. 1

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-

C E Y L O N.

P A P E R S

RELATIVE TO THE

A F F A I R S O F C E Y L O N.

Presented to both Houses of Parliament by Command of Her Majesty.

FEBRUARY, 1849.

L O N D O N :

PRINTED BY W. CLOWES AND SONS, STAMFORD STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

1849.

11013

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M A P S.

Sketch of the Island of Ceylon } to be placed at
 „ „ Country round Kandy } the end.

P A P E R S

RELATIVE TO

THE AFFAIRS OF CEYLON.

CEYLON.

No. 1.

(No. 20.)

No. 1.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, June 8, 1847.

(*Received July 26, 1847.*)

MY LORD,

AT this early period after my assumption of the duties of the government of this colony, it is obviously impossible for me to lay before you so comprehensive a view of its financial condition as I hope to be able to do after more minute inquiry. I shall not fail to put your Lordship in possession of the most ample details upon this vital subject, so soon as circumstances and the necessary delay required for the preparation of returns will enable me to do so.

Answered August
6, 1847, No. 66,
page 322.

My attention was soon after my arrival attracted by the evident falling off in the gross revenue of the year 1846, amounting, as compared with that of the preceding year, 1845, to the large sum of 37,742*l.*, occasioned principally by the diminution of the revenue from sales of land; while the expenditure of 1846, as compared with that of 1845, showed an increase of 49,972*l.* 17*s.*, occasioned in a great degree by the increased allowances sanctioned by Her Majesty's Government, including arrears. This unfavourable appearance of the financial state of the colony, differing as it does so widely from the more flourishing condition of it which before my departure from England I had been led to expect, impressed me with the urgent necessity of instructing the heads of departments to suspend for the present all further outlay for any purpose not immediately and absolutely required by the demands of the public service. I cannot doubt that your Lordship will entirely approve of the accompanying Circular, which I directed the Colonial Secretary to address without loss of time to the heads of departments throughout the colony, with a view to enforce the most strict economy, and with a view to strengthen the effect of a Circular of a similar description, issued on the 30th January, by my predecessor's orders.

Enclosure No. 1.

On referring to the tables contained in the Blue Book for 1846, sent home by the last mail, I observed that on the 1st January, 1846, the cash balances standing to the credit of the colony amounted to the sum of 216,860*l.* 3*s.* 9½*d.* On the 31st December of the same year, the net balances had been reduced by the sum of 74,867*l.* 6*s.* 8½*d.*, leaving therefore to the credit of the colony on the 1st January, 1847, the sum of 141,992*l.* 17*s.* 1½*d.*, including the credits of the colony with the agent in London, the Governments of Bombay and Hong Kong, and with the Lords of the Treasury, for advances to the Queen's pay, &c. &c., amounting together to 19,401*l.* 15*s.* 3*d.*

It will also appear from those tables that the gross expenditure of 1846 exceeded that of 1845 by the sum of 81,801*l.*

It was, I confess, not without some surprise that I learnt, as distinctly pointed out in Sir Emerson Tennent's Blue Book Despatch No. 19,* of the 10th May last, not only that a very large amount of Government notes, payable on demand, were in circulation in the colony, but that a large quantity of similar notes, not in actual circulation, but lying dormant in the Treasury, had been habitually included among the balances carried to the credit of Government. This practice of including the Treasury notes as a portion of the Treasury balances appears to have prevailed in the annual financial statements for some years past, and has thus contributed largely to produce an erroneous impression of a

* Vide Parliamentary Paper, "Reports on Blue Books," August, 1847.

CEYLON.

large available surplus. It is but just to Sir Emerson Tennent to state that he distinctly pointed out, in the Despatch above mentioned, this fallacy of returning liabilities as assets, and that he represented the cash balance at its real amount.

Deeply impressed with the unsoundness of the state of things as it has hitherto existed, so contrary to banking principles and commercial policy, I immediately gave directions for the preparation of certain returns, calculated to show the exact amount of Government notes in actual circulation, as well as the amount of notes not cancelled, lying in the coffers of the general Treasury; also the amount of coined money in hand, in readiness to meet the payment of that portion of notes, or Government liabilities, which might at any moment be presented at the Treasury for payment. I likewise called for a return showing how much of the balance in hand at each of the cutcheries, or treasuries, in the island was represented by Government notes, and how much by coined money. Other returns will also be prepared as speedily as possible, with a view to enable me to present to your Lordship a clear and comprehensive view of the financial condition of the colony for some years past. As soon as I am in possession of all the information which I require to enable me fully to master the subject, I shall hope to lay before you, with the least possible delay, and with all the caution which a subject of such paramount importance demands, my deliberate views upon this question. In the meanwhile, I beg to forward to your Lordship a comprehensive statement, which I called for from the Auditor-General's office, and which has been prepared with great care and attention by Mr. MacCarthy, who has recently taken charge of that department. From this document it will appear that the actual *bonâ fide* balances in favour of the Colonial Government, on the 1st January, 1847, amounted to only 54,592*l.* 17*s.* 1½*d.* The sum of 87,400*l.*, which is represented by Treasury notes, and which has in former financial statements been placed to the credit of Government, is now, as a matter of course, excluded from the balances in hand. But when I bear in mind that about one-half of this amount is actually in circulation, and that it is quite possible that on some unexpected emergency a very large quantity of notes might be presented at the Treasury for payment, at a moment when there might be a very small amount of coined money in hand to meet them, I confess to you, my Lord, that I cannot but feel much anxiety so long as this unusual state of things is permitted to last.

Enclosure No. 2.

Enclosure No. 3.

I beg to enclose, for your Lordship's inspection, one of the notes to which I allude, and it will be a matter of no less surprise to your Lordship than it was to myself that a clear undertaking on the part of Government to pay on demand should by any ordinary oversight have been for several years considered to be a credit in favour of the Government, and carried to account accordingly. Your Lordship will observe, by an inspection of the note, that it appears to be not very difficult of forgery. I beg to request that it may be returned to this Treasury.

If I am not mistaken, there is a clause in the Royal Instructions to the Governors or Lieutenant-Governors of some of the colonies, distinctly prohibiting them from issuing any Government notes for general circulation payable on demand. I do not find that such a clause is contained in the Royal Instructions which I have received, but the belief that such a prohibition is in some colonies in force has contributed still further to add to my embarrassment. I am also aware that in the colony of the Cape of Good Hope the whole of the Dutch paper currency of rix dollars has, I believe, been called in and paid within the last four or five years, and that there was a question raised as to a portion of those notes having been forged.

Under all the circumstances of the case, I await with some anxiety your Lordship's instructions with regard to the course to be in future pursued with reference to the Government paper currency of this island. At the present moment, the two banks (the Bank of Ceylon and the Oriental Bank) which are in operation in this colony, would probably be able to furnish in a short period all the advantages which could be expected from the circulation of paper money, and thus relieve the Government from the necessity of issuing its own notes. The credit of the Government undoubtedly gives a preference in the public mind to the notes issued from the Treasury, and some embarrassment might be created if so large an amount were suddenly withdrawn from circulation. But as soon as the state of the finances will permit, and the

amount of coin accumulated in the public Treasury will warrant the measure, I would beg leave to suggest that the Government paper money of Ceylon should be redeemed. In the mean time, it is evident that no portion of it can be carried to the credit of the cash balances of the colony. At this very moment, a larger amount of Treasury notes is lying in the coffers of a single institution (one of the local banks) than there is of hard cash in the coffers of the general Treasury, where all such notes are payable on demand.

By Table (C.) of the Auditor-General's statement, your Lordship will perceive that the revenue for the first quarter of the present year, 1847, as compared with the expenditure during the same period, shows a balance in favour of Government of 7334*l.* 14*s.* 9½*d.*, and that the actual revenue exceeded the estimated revenue for that period by the sum of 24,856*l.* There is every prospect that a still greater improvement in the finances of the country will soon place them upon the most satisfactory footing, and thereby enable Her Majesty's Government to carry out successfully, and with advantage to the colony, those important and anxiously-desired measures, the cautious adoption of which it was their intention to recommend for the general benefit of all classes of the community in this important portion of Her Majesty's dominions.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

(Circular.)

Enclosure 1 in No. 1.

Encl. 1 in No. 1.

SIR,

Colonial Secretary's Office, Colombo, June 3, 1847.

I AM directed to convey to you his Excellency's instructions, that you will immediately make every arrangement to reduce to the narrowest limit the expenditure of the votes and balances at your disposal, the available amount of treasure being so far reduced as to engender the necessity for the most prompt and vigilant economy.

His Excellency has no reason to apprehend any permanent embarrassment in this particular; but the recent decline in the revenue of the colony from intelligible and temporary causes, has rendered it impossible, for the present, to sustain the expenditure on the liberal scale of late years. His Lordship trusts to your discretion to extend this principle of reduction, without loss of time, to those heads of expenditure in which its application will create the least inconvenience; and in every instance where it is practicable, without actual loss or injury to the public service, you will suspend or postpone outlay for any purpose not urgently required.

To Heads of Departments.

I have, &c.,
(Signed) W. D. RYDER.

Enclosure 2 in No. 1.

Encl. 2 in No. 1.

SIR,

Auditor-General's Office, Colombo, June 7, 1847.

IN reply to your letter of the 4th instant, calling on me for a return of the revenue and expenditure for the current year made up to the latest period, I have the honour to submit the following statement:—

On taking charge of this department, on my arrival in the colony at the beginning of this month, my attention was anxiously directed to the financial state and prospects of the island. Being aware, from communication in London both with the Secretary of State and with his Excellency the Governor, that Her Majesty's Government had fully reckoned, first, on a large accumulated fund actually in hand, and second, on a considerable annual surplus in the revenue of Ceylon, I lost no time in ascertaining from official sources how far such impression was justified by facts. The result of my inquiry was that, on the 1st of January, 1846, there did exist a balance in favour of the Government of Ceylon of 216,860*l.* 3*s.* 9½*d.*; against this surplus, however, there existed a charge, which appears to have been somewhere overlooked, of 87,400*l.*, being the debt due by Government on paper currency. If we deduct the said sum of 87,400*l.* from the balance above stated, the net available balance on the 1st January, 1846, would therefore amount only to 129,460*l.* 3*s.* 9½*d.* It is true, on the other hand, that to meet this debt of Government on the paper currency there is, besides the cash balance in favour of Government, all the Government property consisting of lands and tenements, stores and provisions, live and dead stock, &c. &c.; but as this property has not, as far as I am aware, been ever valued, or the value thereof returned to this office, it cannot properly be taken into consideration at present in a purely financial statement, or brought to account as forming part of the credits of Government.

See Appendix A.

The subsequent year (1846) presents a lamentable falling off, there having been in that year an excess of expenditure over revenue amounting to 81,801*l.* 13*s.* 7½*d.*, which, though lessened by advances recovered, drafts in transit, &c., by the sum of 6,934*l.* 6*s.* 11½*d.*, still leaves a net deficit on the year of 74,867*l.* 6*s.* 8½*d.* Deducting this amount from the balance of 129,460*l.* 3*s.* 9½*d.* in hand on the 1st of January, 1846, it will consequently appear that on the 1st of January, 1847, the balance actually in hand was reduced to the sum of 54,592*l.* 17*s.* 1½*d.*

CEYLON.

See Appendix B.
See Appendix C.

The deficit in the year 1846 appears to have proceeded from two causes—1st. a decrease of revenue to the amount of 37,742*l.* 1*s.* 3*d.*, owing principally to the falling off in the sale of Crown lands since the rise of price fixed by Government from 5*s.* to 1*l.* an acre. 2ndly. An increase of expenditure amounting to 39,129*l.* 3*s.* 8*d.*

With respect to the current year, I beg to forward a statement showing the actual revenue and expenditure for the first quarter of 1847, from which it appears that there is a surplus on quarter of 7,334*l.* 14*s.* 9*d.*, which surplus being added to the balance of 54,592*l.* 17*s.* 1*d.* in hand on the 1st of January, 1847, would raise it on the 1st of April to 61,927*l.* 11*s.* 11*d.* This sum, however, of 7,334*l.* 14*s.* 9*d.* represents merely the actual excess of revenue over expenditure for the first quarter of 1847. The actual state of the balance on the 1st of April, 1847, it is not in my power to give, for want of the cash account of the Government agent for the central province for the month of March last, which has not yet been received at this office.

On the whole, it will appear that, although from the causes above stated, the accumulated fund actually in hand is much less than was expected, and the prospect of a regular annual surplus has been clouded by the large and unlooked-for deficit of the past year, yet as the causes of that deficit are principally of a nature that may be presumed to be temporary, and the first quarter of the current year already shows a slight increase, there is every reason to hope that the financial prosperity of Ceylon will eventually pursue its former progressive course, and realize the expectations of Her Majesty's Government.

I have, &c.,

(Signed) **C. J. MACCARTHY, Auditor-General.**

The Honourable the Colonial Secretary.

(A.)

STATEMENT showing the Balance in favour of the Government of Ceylon at the commencement and end of the Year 1846.

On the 1st January, 1846.

	£.	s.	d.	£.	s.	d.
Balance in the hands of the public accountants in Ceylon.	210,380	8	8½			
" " agent in London.	11,204	8	0			
Credits of the Colony with the Lords Commissioners of Her Majesty's Treasury for advances to the Queen's pay and Ordnance Department	6,483	14	11½			
	228,068	11	7½			
Deduct balance due to the presidencies and agents in India	11,208	7	9½			
				216,860	3	9½

On the 31st December, 1846.

Balance in the hands of the public accountants in Ceylon	126,885	12	4
" " agents in London	8,721	17	9
" " Government of Bombay and agents			
at ditto	508	5	0½
" " Government of Hong Kong	627	8	9½
Credits of the Colony with the Lords Commissioners of Her Majesty's Treasury for advances to the Queen's pay and Ordnance Department	9,544	3	7½
	146,287	7	7
Deduct balance due to the presidencies and agents at Calcutta and Madras	4,294	10	5½
			141,992 17 1½
Deficit			74,867 6 8½
Add difference of receipts over the disbursements of the year on account of advances recovered and drafts in transit, &c.			6,934 6 11½
Total deficit			81,801 13 7½

(Signed) C. J. MACCARTHY, Auditor-General.

(B.)

Revenue and Expenditure of 1846.

<i>Revenue and Expenditure of 1840.</i>					£.	s.	d.	£.	s.	d.
Revenue and receipts in the colony	.	.	.	.	415,023	5	7½			
Receipts by the agent in England	.	.	.	.	1,380	9	7			
								416,403	15	2½
Expenditure in the colony	.	.	.	.	464,545	10	10			
Expenditure by the agent in England	.	.	.	.	33,659	18	0			
								498,205	8	10
Excess of expenditure	.	.	.	.				£81,801	13	7½

Revenue of 1846 compared with 1845.

CEYLON.

Revenue and receipts of 1845	.	.	.	.	.	.	.	.	.	454,146	6	6
„ 1846	.	.	.	.	.	.	.	.	.	416,403	15	2½
Decrease in 1846.	.	.	.	.	.	.	.	.	.	£37,742	11	3½

The above decrease is accounted for as follows :—

		£.	s.	d.
Decrease on sale of lands.	.	24,892	9	9
„ sale of cinnamon	.	6,479	1	9
A. „ Customs, principally in the Northern Province	.	4,380	5	8½
B. „ paddy and fine grain farms	.	4,092	14	10½
C. „ arrack and toddy farms	.	2,768	1	1½
D. „ tolls	.	1,598	10	3½
„ judicial stamps	.	1,138	18	1
„ sale of coals	.	1,775	9	4½
„ Commissariat stores and provisions	.	811	13	2½
„ other heads of revenue and incidental receipts	.	3,152	8	5
		£51,089	12	6½

Deduct increase on the following heads :—

On arrears of revenue of former years recovered	.	.	.	.	.	.	.	.	.	1,844	13	2½
Salt	.	.	.	.	.	.	.	.	.	1,902	19	2
Blank stamps	.	.	.	.	.	.	.	.	.	1,162	10	8½
Assessment tax on houses	.	.	.	.	.	.	.	.	.	1,700	13	2½
E. Freight and passage per steamer “Seaforth”	.	.	.	.	.	.	.	.	.	788	0	1½
F. Abatements of salaries of the civil service	.	.	.	.	.	.	.	.	.	768	5	5
Surcharges recovered	.	.	.	.	.	.	.	.	.	2,281	18	7½
Other heads of receipts	.	.	.	.	.	.	.	.	.	2,903	0	10½
										13,347	1	3
Net decrease as above	.	.	.	.	.	.	.	.	.	£37,742	11	3½

Expenditure of 1846 compared with 1845.

Expenditure of 1846	.	.	.	.	.	.	.	.	.	498,205	8	10
„ 1845	.	.	.	.	.	.	.	.	.	448,232	11	10
Increase in 1846.	.	.	.	.	.	.	.	.	.	£49,972	17	0

The increase is in the civil expenditure	.	.	.	.	.	.	.	.	.	39,129	3	8½
„ Military expenditure	.	.	.	.	.	.	.	.	.	1,990	3	7½
„ Commissariat expenditure	.	.	.	.	.	.	.	.	.	9,056	19	5½

		50,176	6	9
Deduct decrease in the expenditure of the agent in England	.	203	9	9

Net increase	.	.	.	.	.	.	.	.	.	£49,972	17	0
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The increase in the civil expenditure consists of salaries and (G.) allowances sanctioned by Her Majesty's Government, including arrears	.	.	.	22,637	6	8½
And of charges sanctioned by the Legislative Council	.	.	.	16,491	16	11½
				£39,129	3	8½

The above increase of £16,491. 16s. 11½d. includes :—

	£.
Increase on public works	7,688
„ Medical charges	2,881
„ Education	1,096
„ Revenue charges	2,336
„ Miscellaneous charges	2,490
	16,491

The increase in the military expenditure is owing chiefly to the increase of the Ceylon Rifle Regiment.

The increase in the Commissariat department is as follows :—

	£.
For established salaries	521
Arrears of former years	3,357
Provision department.	2,757
Miscellaneous charges	2,421
	9,056

A. Decrease in the Northern Province, £4,098 ; attributed to the small importation of grain, and its high price on the Continent.

B. Chiefly in the Southern Province, owing to premature crops of the harvest of 1846 having been sold and brought to account in 1845.

C. Arrack and toddy, decrease in the Western and North-Western Province, viz. :—

CEYLON.

Amount collected in 1845—

	£.	£.
Western Province	32,245	
North-Western Province	1,527	
		33,772

In 1846—

Western Province	26,409	
North-Western Province	2,879	
		29,288

Decrease 4,484

Caused by irregular payments—

Increase in other Provinces 1,716

Net decrease £2,768

D. Tolls decreased principally in the Western and Central Provinces, by the abolition of tolls on foot-passengers in 1846.

E. Caused by four trips to Bombay in 1846 more than in 1845.

F. The abatements of salaries having commenced from February 14, 1845.

G. Increase in civil establishments	7,672
„ Revenue	7,210
„ Judicial	7,496
„ Pensions	259

£22,637

(Signed) C. J. MACCARTHY, Auditor-General.

(C.)

STATE of the REVENUE and EXPENDITURE for the 1st Quarter of 1847.

	Revenue.			Expenditure.		
	£.	s.	d.	£.	s.	d.
January, 1847	32,079	15	10½	46,379	6	6½
February „	45,820	1	1½	33,660	6	5½
March „	52,369	0	3½	42,894	9	6
Total	130,268	17	3½	122,934	2	5½
Deduct expenditure	122,934	2	5½			
Surplus	7,334	14	9½			

	£.	s.	d.
Actual revenue for the quarter	130,268	17	3½
Estimated ditto	105,412	15	0
Increase	£24,856	2	3½
Actual expenditure for the quarter	122,934	2	5½
Estimated ditto	104,533	6	5½
Increase	£18,400	16	0½

(Signed) C. J. MACCARTHY, Auditor-General.

COMPARATIVE View of the REVENUE and EXPENDITURE for the 1st Quarters of the Years 1846 and 1847.

Revenue.

	£.	s.	d.
For the 1st quarter of 1846	130,350	3	4
„ 1847	130,268	17	3½
Decrease in 1847	£81	6	0½

Expenditure.

	£.	s.	d.
For the 1st quarter of 1846	121,674	14	7½
„ 1847	122,934	2	5½
Increase in 1847	£1,259	7	10½

(Signed) C. J. MACCARTHY, Auditor-General.

Enclosure 3 in No. 1.

(No. 76.)

Colombo, November 1, 1843.
P. Anstruther.

CEYLON.
Encl. 3 in No. 1.

THE bearer hereof is entitled to receive two pounds on demand at the General Treasury, in the currency of this island.

W. H. TEMPLER.

Two Pounds.
Colombo, November 1, 1843.

Examined and entered,
J. W. MOOZART, Acting Auditor-General.

(No. 47.)

No. 2.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON
to Earl GREY.

Queen's House, Colombo,
July 8, 1847.

No. 2.
Answered Sept. 21,
1847, No. 90,
page 325.

MY LORD,

(Received August 30, 1847.)

WITH reference to my Despatch, No. 20* (Financial), of the 8th June last, I have now the honour to enclose certain returns connected with the currency of the island, which will serve to illustrate some important points. They are made up to the 31st May last.

The first table exhibits the actual state of the Treasury at that date, distinguishing the amount of different kinds of coined money, and also of notes; from which it will appear that of the total amount of 57,506*l.* 4*s.* 11*d.* standing at the credit of Government, the sum of 43,002*l.* consisted of Government notes, and 12*l.* 4*s.* 6*d.* of old rix-dollar notes, leaving the balance of 14,592*l.* 0*s.* 5*d.* in coined money.

By Table No. 2, it will be seen that the total amount of Government notes not cancelled amounted at the same date to 87,400*l.*, so that after deducting the above sum of 43,002*l.*, not issued, there would remain in actual circulation 44,398*l.* But of this sum, it would appear by an inspection of Table No. 5, that 8826*l.* was lying in the local treasuries of the six provinces, leaving only the sum of 35,572*l.* of Government Treasury notes in general circulation throughout the island, and payable on demand. This is undoubtedly a very moderate sum, and not likely, under ordinary circumstances, to occasion anxiety to the Government. But by a comparison of Table No. 2 with No. 5, it will appear that the smallest amount of coin was to be found when there might arise the largest demand for it in exchange for notes, viz., at the general treasury; while the six provincial treasuries had at their disposal 36,965*l.* 13*s.* in coined money. If this sum be added to the 14,492*l.* 0*s.* 5*d.* coined money in the general treasury, it will be satisfactory to notice that the total amount of coin at the disposal of the Government throughout the island was 51,457*l.* 13*s.* 5*d.*, against 35,572*l.* of notes in circulation.

If, therefore, we exclude from our consideration bills and money in transit, and credits with the presidencies of India and the agent in London, &c., as shown in my former Despatch (before alluded to), the real balance of cash in hand will appear to have been very small.

The returns No. 3 and No. 4, which I also enclose, will show clearly the fluctuations in the circulation for several years past, indicating the variations in the relative proportions of notes in circulation and of coin in the Treasury.

I am very sensible of the advantages which the circulation of Government notes holds out to the public, and especially to the planters in the interior, so long as their amount is not large and the credit of Government stands high. The notes of the local banks here do not carry with them the same degree of credit, and indeed in some parts of the country are not very readily passed, particularly as they are not received by Government in payment.

The whole circulation of the island, and I believe the capital of the banks, is not really sufficient for its legitimate mercantile wants. It has been urged by many that an increased issue of Government notes would be highly advantageous, owing, among other grounds, to the expense, labour, and risk, at present incurred in conveying coin on men's backs to remote estates. It is the practice here to pay the labourers monthly, and in some instances weekly;

* Page 5.

1.

2.

3.

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CEYLON.

but the average monthly pay of each labourer does not amount to more than 15s. to 18s., and with a view to facilitate these payments there are some who would urge the Government to issue notes of 10s. value only.

It is to be hoped that at no distant period the two local banks will be placed upon a thoroughly substantial footing, and that the increase of their capital and circulation, the opening of branch banks and the greater confidence of the public will enable them to fully meet the legitimate wants of the community. The entire withdrawal of Government notes from circulation may then be practicable, without any serious derangement of the circulation. But it is obvious that very stringent measures must in that case be adopted to regulate the circulation of the local banks, and to afford adequate security to the public.

That object once attained, it may become a question whether a portion of the business at present transacted at the Government Treasury, may not be advantageously and economically curtailed by transferring it to the banks.

In a future paper I shall hope to present to your Lordship a brief sketch of the history of the Government paper currency of this colony, and of the present position of the local banks. I shall also lay before your Lordship what I conceive to be satisfactory grounds for retaining the current value of the rupee at its present amount, viz. 2s., and for continuing to keep the accounts of the colony, as heretofore, in English money.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

Encl. 1 in No. 2.

Enclosure 1 in No. 2.

GENERAL STATE of the TREASURY on May 31, 1847.

	£.	s.	d.	£.	s.	d.
Company's rupees	7,047	12	6			
British silver	1,698	0	0			
American dollars	498	19	2			
Silver rix-dollars	11	18	6			
				9,246	10	2
Copper coin				5,245	10	3
Notes				30,760	0	0
Damaged notes to be cancelled	12,242	0	0			
Old rix-dollar notes	12	4	6			
				12,254	4	6
				£57,506	4	11

(Signed) F. J. TEMPLER, Treasurer.

Encl. 2 in No. 2.

Enclosure 2 in No. 2.

RETURN of the actual Amount of Treasury Notes in Circulation, and the Amount of Coined Money in the Treasury, May 31, 1847.

	£.	s.	d.
Notes of 1/. each	45,923	0	0
„ 2/. „	40,382	0	0
„ 5/. „	600	0	0
„ 10/. „	340	0	0
„ 20/. „	80	0	0
„ 25/. „	75	0	0
	87,400	0	0
Deduct amount of notes in the Treasury	43,002	0	0
Actual amount in circulation, 31st May, 1847	44,398	0	0

Coined Money in the Treasury.

Silver money	9,246	10	2
Copper money	5,245	10	3
Total	£14,492	0	5

(Signed) F. J. TEMPLER, Treasurer.

Enclosure 3 in No. 2.

COMPARATIVE RETURN showing the Quarterly Average of Notes in Circulation, and the Average Amount of Coin in the Treasury, at the corresponding period in each Quarter of the Years 1844, 1845, and 1846.

	Quarter 31st March.			Quarter 30th June.			Quarter 30th September.			Quarter 31st December.		
	1844	1845	1846	1844	1845	1846	1844	1845	1846	1844	1845	1846
Average amount of Notes in Circulation	£. 62,587	£. 50,653	£. 30,812	£. 63,199	£. 45,483	£. 30,033	£. 60,676	£. 41,439	£. 36,634	£. 58,067	£. 39,453	£. 52,530
Average amount of Coin in the Treasury	91,501	149,180	82,925	105,532	149,392	59,711	106,930	120,632	27,991	120,914	97,758	20,404

(Signed) F. J. TEMPLER,
Treasurer.

Enclosure 4 in No. 2.

Encl. 4 in No. 2.

STATEMENT showing the Amount of Treasury Notes in Circulation from 1840 to 1846, and the Amount of Coin in the Treasury during the same period.

	Amount of Coin in the Treasury.			Treasury Notes in Circulation.
	£.	s.	d.	£.
In 1840	18,927	16	7½	85,018
1841	32,687	15	3	84,550
1842	37,707	3	4½	78,392
1843	81,025	6	5½	66,980
1844	127,085	0	8½	58,314
1845	86,785	15	1½	37,311
1846	27,879	15	10½	58,295
	7) 468,860			
	Average . 66,980			

N.B.—The largest amount of Notes in circulation (1840) . . . £. 85,018
The smallest ditto ditto (1845) . . . 37,311

(Signed) F. J. TEMPLER,
Treasurer.

Enclosure 5 in No. 2.

Encl. 5 in No. 2.

RETURN showing the Cash Balances of the Cutcherries of the Western, Southern, Northern, Eastern, North-Western, and Central Provinces, on the 31st May, 1847, distinguishing the amount in Coined Money and in Notes.

	Coined Money.			Notes.	Total.
	Gold.	Silver.	Copper.		
Cutcherries of the Western Province . .	£. s. d.	£. s. d.	£. s. d.	£.	£. s. d.
„ Southern ditto . . .	. . .	4,382 17 6	16 6 7½	1,309	5,708 4 1½
„ Northern ditto . . .	. . .	9,816 8 0	18 5 6½	809	10,643 13 6½
„ Eastern ditto . . .	. . .	3,831 0 7	2,753 9 2	3,318	9,902 9 9
„ North-Western ditto . .	26 0 0	661 0 0	256 13 0½	1,513	2,430 13 0½
„ Central ditto . . .	. . .	5,087 9 0	22 11 3½	826	5,962 0 3½
		7,803 18 0	2,289 14 3½	1,051	11,144 12 3½
	26 0 0	31,582 13 1	5,356 19 11½	8,826	45,791 13 0½

Deduct—	£. s. d.
Deposits in the Western Province included above	. . .
„ Southern ditto	1,799 6 7½
„ Northern ditto	2,963 6 5½
„ Eastern ditto	793 19 6½
„ North-Western ditto	. . .
„ Central ditto	9,862 13 9½
	15,419 6 4½

Available for Government purposes . . . 30,372 6 8

(Signed) P. E. WODEHOUSE,
Acting Treasurer.

C

CEYLON.

(Confidential.)

No. 3.

No. 3.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Answered Nov. 8,
1847. Confidential,
page 326.

Queen's House, Colombo,
September 13, 1847.

(Received October 27, 1847.)

MY LORD,

My Despatch (No. 97) transmitted by this mail, recommending that not more than two writers should at present be attached to the civil establishment of this colony, and submitting the names of two resident gentlemen, peculiarly qualified for those appointments, affords me an opportunity, which I cannot pass over, of addressing your Lordship unreservedly on the subject of the civil service, as it is at present constituted.

Under every view of the question I observe difficulties, for which I was at first scarcely prepared, principally dependent upon local peculiarities, which render this colony little less different in its social and administrative relations, from the adjacent continent of India, than it is from all the other colonies of the British Empire.

On the 30th November, 1844, a Despatch (No. 247)* addressed by Lord Stanley to Sir Colin Campbell, entered so fully into the history and condition of the civil service, from its first commencement, that I can add nothing of importance to that part of the subject.

The service having been remodelled so recently as 1845, it might at first view be doubted whether sufficient time has since elapsed to enable a right judgment to be formed as to the practical working and effect of the new system.

It would certainly appear to be a great improvement upon that which it superseded; and one of the principal objects which the change was designed to effect, viz., the enlarging the field for the selection of competent persons for Government offices, has been in a great degree attained; but in proportion as it has been carried out, the very constitution of a civil service, as a distinct and exclusive body, has been altered and lost.

Hence the question soon arises, as to how much of that service, as a civil institution, it is still desirable to retain, and for what especial purpose, and with what prospective advantages.

The instructions conveyed in Lord Stanley's Despatch do not appear to touch upon the question of the absolute necessity, or otherwise, of a distinct civil service for Ceylon, such as does not exist in any other Crown colony. Nevertheless, the constitution and peculiarities of it are not similar to those of the civil service of the East India Company, which it was designed to imitate.

At a very early period of the Company's history, it became apparent that a special education would be indispensable to qualify their servants adequately to discharge the duties both of political and civil administration, which would devolve upon them in governing their newly-acquired territories; a wide field was open to them; and in proportion as their responsibilities increased, so did the necessity for securing the services of able and energetic servants become more urgent, while the rewards and prizes held out to them were necessarily increased.

Had Ceylon continued under the administration of the Company's officers, its civil service would have constituted, not a distinct and separate body, but in reality a part of the machinery of Government of the whole Indian Empire. Many advantages might possibly have resulted from this arrangement. But as a Crown colony, the contracted and imperfect civil service of Ceylon laboured under many disadvantages. No special education was provided for its members, little scope was offered for their ambition, and while they envied the more fortunate position and prospects of their neighbours on the Continent, they could scarcely escape the pervading listlessness of the native population around them; that population being composed principally of two distinct races, speaking different languages, (the Tamul and the Singhalese,) together with a mixed portion of half-bred Dutch and Portuguese descendants, not less apathetic than the natives themselves.

Until the overland route to India was opened, and British capital, followed by British residents, flowed into the island, Ceylon was almost isolated; and beyond the limited circle of the civil service, no field was open for the

* Vide Parl. Papers,
No. 640, Aug. 8,
1845, page 3.

selection of officers for public employment on the spot, even if it had been desired.

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But while the influx of Europeans has enlarged the field for selection, it has also tended to increase the scope of official duties, and to complicate materially the business of Government. Questions of great commercial and social importance are daily rising up, and complications are inevitable which require the decision of men of mature years and experience.

Under the pressure of circumstances, it has not been found practicable to confine the selection of public officers to those who were originally destined for the service. The rule of seniority in promotion was long ago set aside, and the highest as well as the lowest offices have, to a very large extent, been filled up by gentlemen accidentally introduced into the schedules, but who once admitted have been hitherto deemed to have a preferential claim for consideration and advancement.

Thus out of 74 officers supposed to constitute the scheme of the service, not less than 50 are at this moment held by gentlemen not originally destined for it. They are as follows:—

Senior Branch.

The Colonial Secretary.
The Auditor General.
The District Judge of Colombo.
The District Judge of Kandy.
The Principal Assistant Colonial Secretary's Office.
The Government Agent at Puttam.
The Commissioners' Court of Requests, Kandy.
The Civil Engineer.
The Surveyor-General.
The Commissioner of Roads.

1st Class, Junior Branch.

The Assistant Agent, Kornegalle.
" " Manaar.

2nd Class.

Assistant Agent, Kaigalle.
Postmaster-General.
District Judge, Kornegalle.
" Chilau.
" Faugalle.
" Batticaloa.
Fiscal of Colombo.
Commissioners' Court of Requests, Colombo.
Police Magistrate, Colombo.
Assistant Civil Engineer.
Principal Assistant Surveyor-General.

3rd Class.

Assistant Agent, Kandy.

4th Class.

Third Assistant Colonial Secretary's Office.
Assistant Auditor-General.
Commissioners' Court of Requests, Galle.
Police magistrates of Bentotte.
" " Calpentyro.
" " Port Pedro.
" " Chavagacherri.
" " Cayto.
" " Negombo.
" " Gampola.
" " Rickellegaskedde.
" " Avishawelle.
" " Madamallatenne.
" " Matele.

Commissioner of Loan Board.

Secretary to Central School Commission.

Eight Assistants to { Civil Engineer.
Surveyor-General.
Commissioner of Roads.

Commissioners Court of Requests, Newera Ellia.

Thus it appears that 50 gentlemen, differing as much in point of age as they probably do in qualifications, have been admitted, under the pressure of circumstances, and without any special preparation, except in a few instances, for their new duties within the mystic circle of "the service."

However unavoidable the adoption of this course may have been, the fact itself has materially modified the original constitution of the service; and while it has unsettled the minds of the older members of that body, it acted as a warning to those more recently admitted, that they must be prepared to see others introduced into the service, and perhaps advanced with rapidity over their heads.

It is evident that Ceylon is in many respects entering upon the first stage of a state of transition in its social condition. The number of European settlers is increasing; they are gradually acquiring the native languages, and learning the national usages; while the natives themselves are becoming daily more anxious to have their children educated in the English tongue. The question, therefore, arises as to what is to be the future prospect of the "Civil Service," and how or by what rule the various offices of Government, the highest as well as the lowest, are to be in future recruited.

To revert to the original theory of service would seem to be impossible and scarcely desirable. Above all to what extent will the appointment of writers be advisable, or how far shall we be justified in raising hopes in their minds which subsequent events may very imperfectly fulfil?

The subject is full of difficulties; and although I am not prepared to recommend that the Civil Service should be entirely broken up, I think I have already given sufficient reasons for submitting that not more than two writers (at most) should be at present appointed.

I think it cannot be too distinctly impressed upon the members of the Civil Service, that the fact of being included within the schedules does not of itself constitute any abstract claim to promotion.

Nevertheless, under ordinary circumstances, and where the qualifications of individuals were adequate, I should be disposed to concede to them a preference, which would be justly due to their previous services, and would be an appropriate stimulus to their future exertions.

But even in this point of view I would regard it as a tacit concession, rather than an admitted rule of action. I think that the Governor should scarcely be precluded from bringing directly into the service any individual possessed of peculiar qualifications for a particular office, whatever that office might be, subject of course to the approval and confirmation of the Secretary of State.

At present the Governor does not possess that power, except as to the appointment of police magistrates, and partially of writers; although practically the appointment of gentlemen as assistants to the Civil Engineer or Commissioner of Roads has opened another inlet into the Civil Service.

An important question also arises as to the propriety, or otherwise, of separating the judicial from the revenue branches of the service, or of throwing open the former altogether.

District judges, very few of whom have been brought up to the profession, have frequent complaints made against them for their inefficiency or remissness. The arrears of business are large in nearly all the local Courts; while the district judges are generally looking towards the Revenue Department for promotion, and have therefore less disposition to concentrate their minds and energies upon their judicial functions.

In the Police Courts the administration of criminal justice has been exceedingly imperfect. The abolition of the native forms of swearing, and the difficulties arising from the falsehood and contradictions of native testimony, have added largely to all the other perplexities; more than ordinary judgment and experience are therefore required on the part of all those who are

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much elucidation from the entire history of the past, and the prospects or requirements of the future would be best ascertained by a clear and substantial statement as to its present position.

In the interesting report to which I refer, and upon which much labour and very careful attention has been bestowed, is contained the fullest information upon all the points adverted to by your Lordship. And, indeed, with a view to complete as far as possible the whole circle of this important inquiry, the question of the current value of the rupee in this colony, and the operation of the exchanges in their influence upon the circulation of coined money, and the peculiar commercial position of Ceylon as regards its intercourse with the neighbouring continent of India, whose influence over it is so extensive, all these points have been carefully considered. Nor have I omitted to inquire into the influence which is exercised by the local banks, which have only been established within the last four or five years, over the general circulation of the island and its ordinary mercantile transactions.

It will be unnecessary for me to repeat in detail any of the facts and reasonings which are elaborately set forth in the report; but I cannot withhold from your Lordship the general conclusions at which I have arrived.

The actual paper money of the Government, expressed in sterling denomination, was introduced at the request of Sir Edward Barnes, to take the place of the old rix-dollar notes, which were gradually withdrawn and cancelled, but did not entirely disappear from circulation until the close of the year 1831 or beginning of 1832.

The rix-dollar notes were first introduced by the Honourable Mr. North in 1801, as a substitute for copper money, which was at that time the only circulating medium in the colony. But in a very short time the issue of paper money, which was originally only to the extent of 10,000*l.*, was farther resorted to not merely for the sake of public convenience, as a substitute for copper, but as an easy though avowedly not very safe mode of adding to the available ways and means of Government. In reality, the colony was in debt when we took it over from the Dutch; we adopted that debt, so far as to take upon ourselves to pay interest (which we still do) upon the principal of the outstanding promissory notes of the Dutch government, which were called in according to the terms of the capitulation, and certificates issued by the British Government in their place. The circulation of the island was, therefore, suddenly diminished by the total amount of the Dutch promissory notes, a great part of which, however, were found lying in the public treasuries. Copper money then only remained in circulation; the silver had been all carried out of the island, and never returned in the course of trade; even the copper would also have been carried out of the island to purchase food had it been in currency on the opposite coast, which it was not. The only prospect which Mr. North appears to have had of getting any silver back again, was by the anticipated pearl fishery, which was, however, delayed for many years.

The paper rix-dollars having been once re-introduced, formed a tempting resource for partially meeting the exigencies of Government, and it soon became not simply a representative of coin, but a substitute for it. Year after year the expenses of Ceylon far exceeded its receipts; each successive Governor increased the issues of paper-money to the utmost limits (and even beyond them) to which it was safe to venture. Debentures bearing 9 per cent. interest were soon had recourse to, and these were ultimately converted into a loan for seven years. The flattering hopes which were long cherished, of valuable future pearl fisheries, and of the productiveness of the rigid cinnamon monopoly, aided by the confident belief that the supposed natural richness of the soil would soon enable the local authorities to raise a large revenue from it, appears to have partially reconciled the home Government to the necessity for making large temporary advances to the colony. During the 20 years which elapsed between 1811 and 1831, not less than a million and a half sterling was paid out of the funds of the mother-country on account of Ceylon, in addition to that portion of the military and naval expenditure which was defrayed by the departments in England; so delusive were the hopes which were expressed, that Ceylon would be able, at some time or other, to defray not only the whole of its own expenses, but also to contribute to the resources of the mother-country out of its exuberant wealth.

Happily the present amount of outstanding Government notes, not exceeding the sum of about 87,400*l.*, is the only remaining portion of the unpaid debt of Ceylon. Repeated directions have, from time to time, been given by suc-

cessive Secretaries of State, at the suggestion of the Lords of Her Majesty's Treasury, not only that the amount of these notes should not on any account be increased, but that they should be gradually paid off, out of the proceeds of any surplus revenue that might accrue. The state of the finances, however, never appears to have rendered such a step practicable. Whatever portion of the Government notes has at any time been paid off, has been provided for out of the funds of the mother-country. The unpaid amount of 87,400*l.* has remained stationary ever since 1835, when a reluctant permission was given by Lord Aberdeen for the retention of the notes (with a distinct prohibition against any increased issue), on the ground that the amount did not then much exceed the average balances of coin in the public chests.

But the whole of the facts connected with the paper circulation are clearly stated in the accompanying paper, and I need not further enlarge upon them. I would only remark that the notes are readily received by the native traders, as well as by Europeans, in payment, but that a large portion of them are so much defaced and worn out, that a new issue will soon be required to replace them if the Government paper-money is to be retained at its present amount.

I beg to forward to your Lordship the returns respecting the state of the Government paper currency, which were recommended by the Lords of the Treasury to be annually furnished, in the letter to the Secretary to the Treasury, addressed to Mr. Under Secretary Stephen, No. 36, 4th March, 1840, but which have been omitted since 1844. From these tables it will be apparent that the comparative quantity of notes in current circulation and in the several Government chests on the 31st August in each of the last three years was as follows:—

GOVERNMENT NOTES out on the 31st August in each of the following Years.

	1845.	1846.	1847.
	£.	£.	£.
In the General Treasury and in the Provincial Chests	53,572	63,408	48,084
In general circulation	28,878	24,042	39,366
Total.	87,450	87,450	87,450

Very soon after my arrival in Ceylon it became evident to me that much desirable information would be obtained by requiring a monthly return to be furnished to me regularly of the state of the cash balances, both in the general treasury and in each of the six principal cutcherries, made up to the last day of each month. I have now the honour to forward to your Lordship an abstract of these returns for the months of June, July, August and September, and I propose to continue the same practice for the future, in order that your Lordship may be at all times in possession of full information upon these important particulars.

From an inspection of these returns your Lordship will perceive, first, that the Government notes in the several public chests have always been counted as cash in hand; and, secondly, that after deducting the amount of deposits belonging to private individuals lying in the provincial cutcherries, the sum remaining available for the purposes of Government, including even the notes on hand, has, within the period referred to, scarcely equalled, and never exceeded at the end of the month, the total amount of Government notes, which, by the first series of tables, was shown to be 87450*l.* In other words, the amount of specie in all the Government chests has just equalled, and barely so, the amount of notes in current circulation.

On a reference to the Auditor-General, I further gather, that on the 30th September last, the probable credits and debits of the colony beyond the limits thereof, that is, in the presidencies of India, in Hong Kong, and in London, as nearly as possible balanced each other. And hence your Lordship will arrive at the conclusion that, out of the large balance not long since supposed to be standing at the credit of Ceylon, little, if anything really remains except the Government notes. The value, however, of the stores remaining in the commissariat, and of the implements, provisions, and building materials not issued, belonging to Government, amounts probably to about 40,000*l.*, which, although not hitherto reckoned among the credits of Government, must really be considered as a balance in its favour.

I beg here to assure your Lordship that the credit of the Government notes is perfect; and I shall not fail to adopt every precaution, according to your

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Lordship's instructions, to prevent any doubt being created as to their being continued in circulation.

With respect to the two local banks, it is a remarkable fact that the united paper circulation of the banks and the Government conjoined is not larger now than the circulation of the notes of Government alone was in 1841 (before the banks were opened), when it was stated by Mr. Stewart Mackenzie that *seven-eighths* of the whole of the Government paper money was in current circulation. But in the mean time the commercial business of the community has largely increased, so that, as justly observed in the Report, the effect of the establishment of the banks has apparently been to facilitate the transaction of business without the interchange of money.

In your Lordship's Despatch of the 21st September, I perceive that possibly there might be no objection, under proper regulations, to authorize the issue of 10s. notes in this colony. Much probable advantage might be derived from the adoption of such a measure. Among the planters and merchants there is frequently a strong opinion expressed in favour of notes even of smaller amount, and recommendations appear to have been sent home within the last few years, that notes of 7s. 6d. and of 5s. should be authorized. I think that notes of less than 10s. value are not absolutely required, and that some inconveniences might result from their use.

But a larger and more controverted question still presents itself for consideration, namely, as to the effect which the establishment of Banks of Issue must have upon the commercial transactions of a colony, and its monetary position. Upon this difficult question I bow with submission to your Lordship's superior discernment, and it will be my duty to carry out the instructions which your Lordship may be pleased to convey to me with zeal, discretion, and energy.

* Page 323.

I have perused with much interest and attention the instructions transmitted by your Lordship's orders, to the Governor of New Zealand, upon the question of a paper currency, a copy of which was enclosed in your Lordship's Despatch of the 6th* August last. It would not become me to enter farther at present into the consideration of this question than to observe, with the utmost deference to your Lordship's views (as I conceive it to be my duty to do), that, however, the circumstances of New Zealand may call for the application of those instructions to that colony, the position of Ceylon, as regards its financial relations, is of so peculiar a nature that I cannot but doubt the feasibility of their application to this colony. The accompanying Report enters fully into the question of the commercial relations of this colony, and I will therefore merely request your Lordship's attention to the observations upon that subject contained in the latter part of the paper. It may be doubted if a similar state of things exists in any other part of the world.

I cannot but express my full concurrence in the view taken in the Report of the expediency of retaining the current value of the rupee in Ceylon at its present rate of 2s. sterling; which in fact appears to be simply a fixed instead of a fluctuating rate of exchange, and the operation of which is in the long-run beneficial alike to the Government and to the community at large.

I cannot conclude this Despatch without alluding to a proposal which was not very long ago made privately to Government, by the manager of the Oriental Bank, respecting the Government notes. I do so, not with the view of supporting it at present, but in order that no information may be withheld from your Lordship. It was to the effect, first, that if the Government would receive the notes of the "Oriental Bank" in payment at the public offices, and conduct their financial business through the bank, the directors of the chief establishment at Bombay would authorize the local managers to deposit in the hands of Government an amount of paper of the East India Company equal to half the average circulation of notes and also of the Government deposits, as an *absolute security for the bank's issues and liabilities to Government*. 2ndly. That an amount of coin or bullion equal to any amount that the circulation and Government deposits might exceed the amount of securities before-mentioned should be set apart exclusively to meet those liabilities.

3rd. Monthly returns of the circulation and Government Deposits, and of the specie set apart to meet them, should be rendered to Government.

4th. That the bank would pay off all the out-standing Government notes, according as they might be presented for payment, at a moderate rate of interest to be charged to Government until the debt should be cancelled.

Undoubtedly some little expense might be saved to Government by adopting

a cautious measure of this description; and I may observe that at all the Presidencies of India, the East India Company have materially reduced the treasury expenses, by employing the banks as their monetary agents. Nevertheless, at the present moment I am not prepared to recommend that such a measure should be precipitately adopted here.

In conclusion, I trust, my Lord, that in the course of this Despatch and in the accompanying documents, I may have succeeded in laying before your Lordship, in all its bearings, the fullest information it was in my power to procure upon a subject of such vast interest and importance as the monetary position of the colony intrusted to my charge.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c.

(Signed)

TORRINGTON.

Enclosure 1 in No. 4.

Encl. 1 in No. 4.

MEMORANDUM on the MONETARY CONDITION of CEYLON, from the commencement of the British occupation to the present Time.—Colombo, November 10, 1847.

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Although the Government paper money at present current in Ceylon, in the form of notes payable in specie, on demand, at the General Treasury, in sums of not less than one pound sterling, is comparatively of recent origin, it will perhaps be convenient to bring together in this paper the complete history of the various public debts incurred by the Government of Ceylon, and of the general state of the circulation of the island from the first commencement of our administration. The want of indices to the earlier records, and the defacement of many of them by the effects of damp and lapse of time, adds somewhat to the difficulty of the task.

In the first letter of instructions from the East India Company to the Hon. Frederick North, on his assuming the Government of Ceylon,* it was remarked that they had not been able to ascertain the amount of "paper money in circulation before the capitulation." They therefore directed that a report should be sent to them of its amount when the island was captured, showing what part of it was "mortgaged on the lands and buildings of the late Dutch company, and what part was secured on the estates and moveables of individuals." They referred to the 6th Article of the Capitulation, in which the English Government engaged to take up the promissory notes of the local Dutch government,† and to issue certificates for the amount, bearing interest at the rate of 3 per cent. per annum, which certificates, however, were to be given back to the Government in exchange for the original notes, if at any time the districts were then held should be restored to the Dutch. Under this stipulation it has always been maintained that we were under no obligation whatever to repay the principal, but only the interest of that debt.

Dutch Promissory Notes.

Amount of Dutch paper.

Dutch copper, the only coin.

In October, 1798, Mr. North replied that the amount of Dutch paper currency for which he had issued certificates amounted only to 18,055*l.*, the remainder having been found in the public treasuries, and cancelled. It appears, however, that although none of the certificates have up to the present time been paid off, interest, at the rate of 3 per cent., continues to be paid only upon the sum of 12,695*l.*, so that nearly one-third of the original certificates must have been either lost or destroyed in course of time. Mr. North appears to have been greatly straitened during the earlier period of his Government, owing to the want of a due proportion of circulating medium. The only description of coined money then in use was the old Dutch copper money, the amount of which, although not very large, was nevertheless inconvenient, and, as Mr. North stated, was likely to go on increasing, because it was not in circulation on the opposite coast. The hoped-for pearl fishery was then regarded as the only probable resource by means of which a supply of some other description of coined money might be attracted to the island, as the capitalists and speculators who might resort here for the purchase of the pearls would be compelled to pay for them in gold and silver.

These anticipations, however, were not realized, for the fishery was delayed for several years.

* Dated 23th May, 1798.

† Kreditbrieven.

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The inconvenience of copper money being the only circulating medium, and the insufficiency of its amount, induced Mr. North, in the year 1800, to issue notes of the value of 25, 50, and 100 rix dollars each, which were in fact only intended to be a substitute for an equal amount of copper, and were at that time made exchangeable at the Treasury on demand. Their credit seems to have been perfect in the neighbourhood of Colombo, and the convenience of them was generally admitted. Indeed, they attained a slight premium at the end of the following year, on account of the facility with which they could be transmitted from place to place; yet, notwithstanding this early advantage, Mr. North soon began to express his fear that any attempt to increase the amount of notes in circulation, which had only reached 10,000*l.*, would be likely to endanger the credit of the Treasury. In order to add further to the resources of Government, he caused not only all the copper he could procure to be coined, but also made use of the condemned cannon, which were brought up from Trincomali for a similar purpose. A large quantity of copper was also procured from England; and the experiment was likewise made, for the first time, of introducing a small quantity of silver rix dollars, *coined expressly for the island*, in the hope of preventing the exportation of them to other parts.

The real value of these rix dollars was only 1*s.* 8*d.* sterling, but it was intended that they should be current in Ceylon at the rate of 2*s.* 1*d.* The amount of them issued was, however, very limited, scarcely exceeding 8000*l.* in value. But the excess in the expenditure over the revenue of the island was far too large to be even temporarily met by these minor resources, even aided by further issues of rix dollar notes. In addition to the proceeds of heavy bills drawn upon the British Treasury, debentures, bearing heavy interest at the rate of *nine per cent. per annum*, were issued to the civil servants in 1802, in anticipation of a prospective increase in the revenue; and Mr. North expressed a hope that he should be able still further to increase the issue of rix dollar notes without danger of discredit. In his letter to Lord Hobart, of the 10th September, 1802, he could give no more encouraging prospect of the finances of the colony than that the "issue of debentures (to the extent of about 100,000 rix dollars), the demand for paper money, and the augmentation of the territorial revenue would, he hoped, enable him to go through the next year with a supply of 100,000*l.* sterling from the British Treasury, including the King's subsistence of the troops."

Thus it is evident that, from the earliest period of our occupation, the paper money of Ceylon originated in a deficiency of the legitimate resources of the Government to meet its current expenditure, including, however, the entire maintenance of the military force on the one side of the account, and the proceeds of large drafts upon the British Treasury upon the other.

Although the paper issue of Ceylon was at that time not large in amount, and payable only in copper, it is worthy of notice, that in the following year, 1803, Mr. North, in his despatch of 20th April, stated that he had reason to fear for the credit of the notes, so great had been the demand for copper at the Treasury; and that an annual supply of copper money from England would for some time to come be necessary, in order to enable him to keep any quantity of notes in circulation. In the following year he made it a subject of congratulation that he had not been compelled to have recourse to his increased issue of notes owing to a want of ready cash to meet his current expenses. Nevertheless, during that year, 1804, (when we were for the first time more or less at war with the King of Kandy,) the total expenditure of this Government exceeded its legitimate revenue by no less a sum than 240,000*l.*, and the Colonial debt went on increasing.

In 1805, the debenture debt alone amounted to little short of 1,000,000 dollars. It would profit little to trace with any greater degree of minuteness the progress of the early financial difficulties of Ceylon. It will be sufficient to remark that the deficiency continued for many years to be met, not only by drafts upon the British Treasury, and by bills on the Presidencies of India, but also by a continued issue of debentures, and an increase in the current paper money. Yet the impression prevailed so strongly at home, that the pearl fishery and the cinnamon monopoly would ultimately prove to be sources of great wealth, that confident anticipations were expressed that Ceylon would at some future time, not only be able to pay the whole of its own expenses, but would likewise contribute largely to the resources of the mother country out of its exuberant riches.

So delusive, however, did these sanguine hopes prove in reality to be, that Sir Robert Brownrigg found himself under the necessity, even in 1812, of reporting to the Secretary of State,* that it was his intention to increase the issue of current notes to the extent of 5 or 6 lacs of rupees, "as an advantageous substitute for either drawing upon the British Treasury or for issuing more debentures bearing interest."

The reply of the Secretary of State to this communication was remarkable,† as it appeared to convey the impression that the issue of notes in this instance was simply a matter of convenience, not one of necessity. It was remarked, that "although the Lords of the Treasury are in general unwilling to sanction either the establishment or the increase of paper circulation, yet in this particular instance they are disposed to authorize an issue of that nature, provided that the amount be restricted so as in no case to exceed the amount of balances in the Treasury and in the Cutcheries." It was at the same time directed that the average amount of those balances should be ascertained, by calculating the average at the end of every three months from the weekly statements furnished by the different Treasuries.

The above rule for limiting the issues of paper money does not appear to have been ever strictly followed. Apprehension was expressed by Sir Robert Brownrigg, even in 1814, that the "depression of public credit would be aggravated" by any attempt to increase still further the quantity of current notes from which he felt it his duty to obtain. At the same time he

First issue of notes by the British Government.

Its amount.

Condemned cannon made into coin.

Silver rix dollars.

Debentures issued in 1802.

Mr. North's financial statement.

Paper money originated in debt.

Difficulty of keeping it in circulation.

Pearl fishery and cinnamon monopoly

Increased issues in 1812.

Lords of the Treasury on the issue of notes.

Depression of credit in 1814 alone prevented further issues.

* Despatch No. 13, June 12, 1812.

† Despatch No. 2, January 23, 1813.

CEYLON.
New debentures.

Interest on debentures reduced to 6 per cent.

A new loan.

Instructions of Lord Bathurst in 1825.

1832.
Remarks of the Lords of the Treasury on excessive expenditure.

Large sums paid by the mother country.

Notes ordered to be withdrawn and cancelled.

Opinion of Sir Edward Barnes.

Notes in sterling denomination applied for instead of rix dollar notes.

Forgery of rix dollar notes.

Sanction given for the new sterling notes.

Notes sent from England in 1826.

Sir Edward Barnes applies to be allowed to issue notes for less than one pound.

Rix dollar notes partially retained.

felt himself under the necessity of issuing a new form of debenture, the principal of which was made payable by drafts on the British Treasury, while the interest was to be paid out of Colonial funds.

Some relief was afforded by the gradual transfer of the military expenses to the English establishment, and the rate of interest upon the outstanding debentures was at length reduced from 9 to 6 per cent. Nevertheless, the government of Ceylon went on for many years increasing its debt; and in 1815 a distinct loan was raised in preference to increasing the amount of the debentures, for the space of seven years, to the extent of 100,000*l.*, at the recommendation of the Lords of the Treasury,* and it was made chargeable upon the funds of the mother country. Upon the face of the certificates it was distinctly stated that the "bearer had paid into the Treasury the within-named sum in rix dollar notes of the paper currency of Ceylon."

In 1825, a general measure was adopted for placing the currency upon a uniform footing throughout all the British Colonies; and with this view, it was also declared that the payment of 1*s.* 6*d.* British sterling money in silver, should be equivalent in Ceylon to 1 rix dollar, either of paper money or of silver of the local coinage. At the same time very distinct instructions were given by Lord Bathurst,† that "no further issue of debentures, or of any other species of security, should on any account be made to any person whatsoever."

In the year 1832, very strong animadversions were made by the Lords of the Treasury, in a Minute of the 18th September, upon the long course of excessive expenditure which had been followed in Ceylon. The following extract from that Minute gives a remarkable picture of the monetary condition of the island:—"From the year 1811 to 1823, my Lords observed the advances of the mother country in aid of the resources of Ceylon, and independently of the military and naval services provided for in the estimates of departments at home, had amounted to 926,000*l.* From 1823 to 1827, the excess of expenditure was met by increased issues of debentures (although such a proceeding had been prohibited in 1825), and by the appropriation of money which had been set apart with the intention of providing a sinking fund for the redemption of those debentures. From 1827 to 1831, the sums supplied by the mother country to cover the excess of expenditure, and for liquidating the debentures after the sinking fund was exhausted, amounted to not less than 500,000*l.*" But it must be observed that the entire debenture debt was not extinguished until the close of 1832.

In the same despatch from Lord Bathurst, which prohibited the further issue of debentures,‡ before alluded to, it was likewise directed that the rix dollar notes then in circulation should be gradually withdrawn and cancelled; and that whatever surplus revenue might accrue should be applied to this specific purpose, and the cancelled notes sent home as vouchers to the account. But Sir Edward Barnes argued strongly against the entire withdrawal of the paper currency,§ principally on the ground that the facility and convenience with which it could be transmitted into the interior gave it some advantages, and, indeed, that if it were to be suddenly withdrawn, there would be a deficiency in the amount of circulating medium requisite for the ordinary commercial transactions. In point of fact, the state of the public finances did not admit of the entire withdrawal of the notes then in circulation, amounting to about 100,000*l.*, however strongly it may have been urged.

Sir Edward Barnes recommended|| that the paper money should not be reduced below 80,000*l.*; but instead of the old rix dollar notes being retained, he strongly advised that notes expressed in sterling, varying from 1*l.* to 50*l.* in value, should be substituted for them; and also that notes of the value of only 10*s.* and 5*s.* should be permitted to be circulated in this island, on account of the peculiar inconvenience which would result from the withdrawal of all the notes of small denomination, and the many advantages which the small rix dollar notes had been found to possess. But he felt bound at the same time to report that "forgery of the rix dollar notes had been practised with surprising dexterity and success, by a partial alteration of the words and figures in the body of the note, so as to give it a higher value than its real one." He at the same time observed, that during the preceding five years notes of the value of about 65,000*l.* had been paid off, principally through the aid of remittances of coin sent from England. The proposal to substitute notes expressed in sterling for rix dollar notes was acceded to by Lord Bathurst in 1826,¶ but with the proviso that no notes of any lower denomination than 1*l.* sterling should under any circumstances be issued.

A supply of blank notes to the extent of 100,000*l.* sterling was shortly afterwards remitted from England, together with the sum of 17,000*l.* in coined silver and copper; and orders were at the same time distinctly given, that "before any of these new notes should be issued, a sum of old paper money at least to an equal amount should be cancelled." On receiving these instructions, Sir Edward Barnes appears to have anticipated to its full extent the inconvenience which he had before expressed as likely to follow from the sudden withdrawal from circulation of all the notes of small denomination. He therefore appointed a committee to report upon the effect, which the proposed measure would probably have upon trading operations in the island; and at their recommendation he renewed his application to Lord Bathurst, to be allowed to create notes of the nominal value of 15*s.*, 7*s.* 6*d.*, and 3*s.* each, expressed in sterling; and stated in support of this request that the rix dollar notes of small denomination which were then current constituted nearly half the circulation, and that the convenience of them was so great for the purpose of making small payments which were the most common in this colony, that he felt bound to retain the notes of two, five, and ten rix dollars each, until

* Letter from the Treasury to H. Goulburn, Esq., May 10, 1815.

† Despatch No. 11, March 14, 1825.

§ Despatch No. 77, of July 26, 1825.

‡ No. 11, March 14, 1825.

|| Despatch No. 11, July 26, 1825.

¶ Despatch No. 2, of March 23, 1826.

CEYLON.

the result of his application should be made known to him.* In addition therefore to an issue of 50,000*l.* worth of new sterling notes, he retained in circulation an equal amount of old rix dollar notes. He argued that a well-supported paper currency was necessary for the peculiar exigencies of this colony, and that it was perfectly safe so long as it was maintained in the manner it then was, "by the general right of every person to bills on England, and assisted by a due proportion of metallic currency." And he added, that if the small paper notes were to be withdrawn, a large supply of silver and copper coin would be required to be annually remitted from England, in order to replace the amount which would be necessarily exported in payment of food, &c.

Right of every one to change his notes for bills on the British Treasury.

There was at that time a quantity of base copper money in circulation, which had been manufactured principally out of old cannon to the value of about 26,823*l.*; and there was also a quantity of copper money coined in England for this island to the extent of about 20,000*l.*, besides an unascertained quantity of old Dutch copper which was still current.

Amount of base copper in circulation in 1827.

Although the rix dollar notes to the extent before mentioned were still continued in circulation, repeated representations were made by Sir Edward Barnes between 1827 and 1830, of the difficulties under which he laboured, owing to the want of a proper quantity of coined money; but no definite answer to his frequent requests for remittances, either in the shape of coin or of small notes, appears to have been received until the beginning of 1830, when a supply of silver to the extent of 35,000*l.* reached him, accompanied by positive instructions,† that as large a quantity of rix dollar notes as circumstances would permit should be paid off and cancelled "without delay, and that whatever surplus revenue might afterwards accrue, should be rigidly applied to the entire liquidation of the whole of the outstanding rix dollar debt." At the same time strong objections were intimated on the part of the Lords of the Treasury to the circulation in Ceylon of any notes in English denomination of lower value than 1*l.*

Deficiency of coined money.

1830.

Orders sent out that the notes should be paid off.

In pursuance of these directions, a proclamation was issued in June, 1831, which declared, that after the 31st December of that year, the rix dollar notes should cease to be lawfully current in the island, and that in the mean time they should be exchanged at the Treasury, either for specie or for notes expressed in sterling, as might be found most convenient to Government. The total amount of paper money then outstanding was 110,858*l.*, and of this sum about 23,000*l.* was paid off in the course of the two following years, by means of specie principally remitted from the Cape of Good Hope.‡ Indeed, distinct instructions had been sent out by Lord Goderich early in 1832,§ that the whole of the Government notes should be withdrawn and cancelled. But Sir Robert Horton did not find himself in a position to be able to effect this object, and suggested, in reply, that the paper currency might be conveniently fixed at 100,000*l.* The Lords of the Treasury were, however, indisposed to accede to any proposal of this description. In a communication addressed to Mr. Under Secretary Hay, dated 22nd June, 1833, and forwarded to Sir Robert Horton by the Hon. E. G. Stanley,|| my Lords again urged the expediency not only of "not increasing the paper debt," but also of paying off the outstanding notes, or rather of effecting the same object "by withdrawing and cancelling them when received into the public chests in payment of revenue or other dues of Government, as soon as the colonial resources afforded the means of doing so." They at the same time renewed their former instruction, "that for each remittance of coin from England, an equivalent amount of notes should be withdrawn from circulation at once." Nevertheless a qualified power was left to the Governor, which gave him the option of retaining the notes if the state "of the balances in the colonial chest should be such as not to admit of those notes being withdrawn without interfering materially with the means of defraying the regular current expenditure of the Government."

Rix dollar notes called in in 1831.

Amount of paper outstanding in 1831.

Reluctance of the Lords of the Treasury to permit the notes to be retained.

State of the Colonial Treasury did not permit the payment of the notes.

On Mr. Stanley's resignation of the office of Secretary for the Colonies, the attention of Sir Robert Horton was again called to these Instructions by Lord Stanley's successor, Mr. Spring Rice,¶ but the state of the public finances never appears to have been sufficiently flourishing to have enabled the Government to dispense with the notes, which, although they were for a short time reduced to so low an amount as 70,000*l.*, were speedily increased again to 87,500*l.*,** at which amount they have to the present time remained nearly stationary.

The strong objections of the Lords of the Treasury to the retention of any quantity of paper money whatever were at length partially overcome, and a reluctant permission was given in 1835†† for the retention of the notes then outstanding. "As the paper remaining in circulation," observed Lord Aberdeen, "does not much exceed the general average of the balances in the public chests, I refrain from pressing you to cancel the remainder of the notes. The payment of them in specie on demand will preclude the necessity for continuing the arrangement under which you have been permitted to draw bills on the Lords of the Treasury in exchange for colonial paper, as well as for British silver, whenever it might be tendered for that purpose." His Lordship further added a distinct injunction that the Government paper money should not be again increased.

Permission given, in 1835, to retain the notes to extent of 87,500*l.*

Prohibition against any increase in the amount of notes.

Notwithstanding the marked disinclination of the home Government to sanction any greater burthen of colonial debt in the shape of paper money than circumstances rendered absolutely necessary, application was made by Mr. Stewart Mackenzie, in 1838,‡‡ that forms for notes to the extent of 200,000*l.* should be sent out to him, a portion of which, however, were destined to

* Sir Edward Barnes' Despatch, No. 5, October 10, 1827.

† Despatch, No. 9, April 11, 1830.

‡ Sir R. Horton's Despatch, No. 108, December 20, 1832.

§ Despatch from Lord Goderich, No. 45, of April 10, 1832.

|| Despatch, No. 18, July 24, 1833.

¶ Despatch of Mr. Spring Rice, No. 43, of November 15, 1834.

** Despatch from Sir R. Horton, No. 93, September 11, 1834.

†† Lord Aberdeen, No. 22, of March 21, 1835.

‡‡ Despatch, No. 98, June 29, 1838.

CEYLON.

Mr. Stewart Mackenzie applies for permission to increase the notes.

Prohibited by Lords of Treasury.

Mr. Mackenzie applies for notes of less amount than one pound.

His application refused.

1840. --
Returns of the state of the Government paper circulation required by the Lords of the Treasury.

Arguments in favour of notes of less value than 1*l.* sterling.

Gold does not circulate in Ceylon.

1841.
Mr. Mackenzie's financial statement.

Difficulties of the colony.

All public improvements stopped from want of means.

1841.
Real balance in the Treasury very small.

Bank of Ceylon first opened.

Oriental Bank opened in 1843.

Effect of banks has not been to increase the total amount of paper circulation.

Advantages of banks to the public.

replace old and worn-out notes, and to substitute notes of larger amount. On that occasion he took the opportunity of expressing his opinion, that "no inconvenience could possibly arise from suiting the issue of paper money to the wants of the community, so long as the holder was entitled to exchange his paper for silver upon demand."

This view of the matter was entirely negatived by the Lords of the Treasury, who expressed very great objection* to any sanction being given to such a proposition, as one calculated to lead to inconvenient results, and not necessary for the immediate accommodation of the public.

Repeated representations were afterwards made by Mr. Stewart Mackenzie, as to the advantage and convenience which would result from his being permitted to issue notes of smaller denomination than 1*l.* sterling. In his despatches noted in the margin,† he fully pointed out the peculiar circumstances which, in his opinion, rendered a paper currency of low denomination highly desirable in Ceylon. But strong objections were still entertained by the Lords of the Treasury‡ to any renewed circulation of small paper money. They again recommended that any increase in the Government notes should be distinctly prohibited; and with a view to greater security in this respect, that the Governor should be required to transmit "regular periodical returns of the state of the Government paper, the amount created and put into circulation, and the balance remaining in the Government chests at the end of the period;" and that he "should be called upon to exercise due circumspection in retaining in the public chests sufficient specie to meet all demands for the redemption of the notes."

Instructions in full accordance with these views were transmitted to Mr. S. Mackenzie by Lord John Russell, on the 18*th* March, 1840.§ Since that period great anxiety has, on several occasions, been expressed by the agents and proprietors of coffee estates, the greater proportion of which have been opened since that period, that they might have the advantage of an issue of notes for smaller sums than 1*l.* sterling. The difficulty and risk of conveying large quantities of silver and copper coin upon men's backs to the remote estates in the mountain districts is very great, and yet it is indispensable for the payment of labourers whose monthly wages never amounts to 1*l.* sterling. Indeed the charge for delivering coin at Kandy, before it is even carried farther into the mountains, is one per cent.; and the sums thus transmitted by the local banks monthly are very considerable during the busy season. Another effect would probably follow the introduction of notes of the value of 10*s.*, if not of 5*s.*, viz., that a much larger number of Coolies would be induced to choose the route by Colombo, for returning to their own country, in order to procure silver for their notes previous to embarkation. It will scarcely be necessary here to remark, that sovereigns and half sovereigns are not to be met with in circulation, as they are only to be purchased at a premium of 10 to 15 per cent., as an article of commerce.

To return, however, to the history of the currency:—Shortly before the departure of Mr. Stewart Mackenzie from the colony in 1841, a remarkable financial statement was addressed by him to Lord John Russell,|| which was calculated to produce an impression not very favourable to the prosperity of Ceylon. His mind appeared to be equally divided between a hopeful anticipation of the future improvement of the colony and the necessity which he felt he could not avoid, of dwelling upon the actually unfavourable state of its finances. While he anxiously looked forward to a probable future increase in the territorial and customs revenue of the island, he was forced to admit that, in order to bring the current expenditure within the revenue, he had reluctantly suffered the public buildings to fall into a state of dilapidation, and the roads into utter disrepair; although, upon "the improvement and extension of these," he added, "the development of the resources of the colony is mainly dependent." While the public accounts showed an apparent balance in favour of the colony of 106,280*l.*, it did not escape his notice that the paper money, to the extent of 87,400*l.*, ought to be deducted from this amount; in fact, he stated, that the real balance in specie in favour of Government, lying in the public chests, amounted to no more than 18,880*l.*

At the same time he represented, that the small amount of Government notes was quite inadequate to the general wants of the community, and that such was the demand for an increase of the circulating medium, that seven-eighths of all the Government notes were constantly in circulation.

To whatever extent Mr. Mackenzie's view of the inefficiency of the Government paper money may have been apparently borne out, the establishment of the bank of Ceylon on the 1*st* of June of that year (1841) almost entirely upon English capital, with a moderate proportion of notes, would have tended to remedy that inconvenience; and the opening of a branch of the "Oriental Bank" of Bombay, in Colombo, in the year 1843, would have completed the means by which the paper circulation of the colony might have been rendered adequate to the wants of the community. But it is a striking fact, which will be developed more fully as we proceed, that the total amount of paper money, including that of the Government and the banks conjoined, at this moment in current circulation is not larger than it was in 1841.

In reality, the establishment of the banks, by improving the general tone of the monetary transactions of the colony, and by regulating, through the due adjustment of the exchanges, the quantity of coined money in circulation, and by diminishing, as they naturally must tend to do, the real demand for current money, has superseded the necessity for any large increase in the paper circulation.

But this view of the case does not appear to have been generally entertained at the time.

* Letter to Mr. Stephen, of January 28, 1839.

† Despatch to Lord Normanby, No. 29, November 11, 1830; and to Lord J. Russell, No. 11, of December 16, 1839.

‡ Letter to Mr. Stephen, No. 36, of March 4, 1840.

§ No. 36, March 12, and No. 43, March 18, 1840.

|| Despatch, No. 19, of February 12, 1841.

Soon after the arrival of Sir Colin Campbell, application was again made to the Secretary of State,* to be permitted to increase the amount of Government paper money from 87,400*l.* to 100,000*l.*, upon the ground before advanced, that the actual amount of paper was inadequate to the wants of the community.

In communicating the refusal of Her Majesty's Government to give their sanction to this proposal, it was clearly announced by the Secretary of State† (Lord Stanley), that "they did not consider it *safe* to give their sanction to any increase of the *floating debt of the island*."

The amount of Government paper money has, therefore, remained stationary up to the present time; but many of the notes have become so worn and defaced by length of time, that an entirely new issue will soon be necessary, to replace those that are worn out. It has been recently found necessary to withdraw and cancel a portion of these notes, to the extent of 5282*l.*, while only the sum of 3944*l.* in new notes remained on hand to take their place.

Of the total amount of Government notes permitted to be retained, not more than one-half is usually in current circulation, and frequently less, and even of this amount a certain proportion is held by the local banks as part of their cash balances, the notes being payable at the General Treasury, and not elsewhere.

They are readily received by the native traders, and by the Moormen and Malabar dealers, but are not long retained by them, because the demand for *specie* is always great, not only for transmission to the opposite coast, in payment of food, but also for the purpose of hoarding it as treasure (to which all easterns are prone), until necessity or profitable inducement tempts them to part with it. For the former purpose the demand for *specie* has sometimes been difficult to meet, and on these occasions the Government notes are of course likely to be rapidly presented for payment.

Shortly before the arrival of his Excellency Lord Torrington, the manager of one of the banks, the "Oriental," having a larger demand upon him than usual for coined silver, made a private application at the public treasury for 10,000*l.* in silver, in exchange for an equal amount of Government notes, of which about 15,000*l.* worth were lying in the coffers of the bank. The general scarcity of silver, however, which temporarily prevailed, extended itself to the treasury, and the manager of the bank was therefore requested to reduce his demand, if possible, to less than one-half. Fortunately, it happened that on the same day a ship arrived from Bombay, bringing a large quantity of *specie* for the bank, and by this means the difficulties on both sides were removed.

The Bank of Ceylon, which was the first established (in 1841) under a Royal Charter, possesses a nominally paid-up capital of 125,000*l.*, although it is not really so large. The "Oriental" Bank, which was opened in 1843, is a branch of the "Oriental Bank" of India, a portion of the capital of which, to the extent of 100,000*l.*, is devoted exclusively to the mercantile wants of this colony. Both of them allow interest on deposits and current accounts exceeding the balance of 100*l.*, at the rate of 2½ per cent. per annum, and both of them have small branch establishments at Kandy, at which notes issued on the spot are of course payable. They have, as yet, no other branches in the island, but the "Oriental" holds out the advantage of paying its notes at Galle through an agent. Upon the whole, the management of the Bank of Ceylon has not been so judicious and fortunate as that of the "Oriental." The connexion of the latter with its sister branches in India, and other parts to the eastward, gives it considerable advantage in its exchange transactions, &c.

The amount of notes payable on demand issued by these banks is much smaller than might have been expected. Indeed, it is a striking fact already alluded to, that since the establishment of the banks the total amount of paper money in current circulation scarcely exceeds its amount in 1841, although the mercantile transactions have largely increased, and the interchange of money, owing to the increase of population and of the general wealth of the community, has become much greater. Probably the explanation of this fact may be found in the greater facilities which are offered for the ready transaction of business through the assistance of the banks, whose cheques, in fact, represent an equivalent of money which does not really pass between the parties, the accounts being simply adjusted by transfers in the books of the banks.

The amount of notes of the Ceylon Bank in current circulation on the 30th September last, after making the necessary deduction for that portion of them held by the other bank as cash, and not yet exchanged, was less than 15,000*l.*, and those of the "Oriental" Bank, on the same day, after making similar deductions, did not reach 17,000*l.* The amount of Government notes current, on the same day, was about 43,000*l.* These facts will be more clearly shown by means of the following table:—

CEYLON.

1841.

Sir C. Campbell applies to increase the Government paper.

Lords of Treasury refuse to add to the public debt of Ceylon.

The notes still in circulation almost worn out.

Remarks on the general state of the Government paper currency.

Great demand for specie.

Large amount of notes presented for payment.

Remarks on the Bank of Ceylon.

The "Oriental Bank."

Interest on deposits allowed.

Branches at Kandy.

Notes of the "Oriental" paid at Galle.

Circulation of the banks.

Bank cheques take the place of notes.

* Despatch, No. 19, of December 15, 1841.

† Despatch, No. 86, May 2, 1842.

CEYLON.

PAPER MONEY in actual CIRCULATION in CEYLON on the 30th September, 1847.

Table of the total paper currency of the banks and of Government.

<i>Promissory Notes of Government.</i>		£.	£.	£.
Issued, not including what remained in the local treasuries	.	51,062	.	.
Deduct lying in the chests of the local banks	.	7,752	.	43,310
<i>Bank of Ceylon.</i>				
Notes issued	.	.	18,621	.
Deduct held by the branch at Kandy	.	3,280	.	.
Ditto, held by the Oriental Bank	.	1,001	4,281	14,340
<i>Oriental Bank.</i>				
Notes issued	.	17,670	.	.
Deduct held by the Ceylon Bank	.	870	.	16,800
Total		.	.	74,450

Its small amount.

The small amount of paper money in actual circulation, as shown by the above table (which, if not rigidly accurate, cannot possibly differ more than a trifle from strict correctness), in a colony which has large commercial dealings like Ceylon, does not appear to be owing to any want of confidence in the ready convertibility of the paper, but rather to the peculiar mode in which business is conducted by the native dealers, and the little habit of using paper money whenever it is possible to collect coined money in its stead.

Remarks on the quantity of coined money in the banks, and in general circulation.

The quantity of coined money usually retained in the coffers of the local banks appears to be amply sufficient to meet any probable demands upon them, either on account of their notes in circulation or their deposit accounts. Thus it appears that, on the 30th September last (for which day I have made all the calculations), the coined money held by the "Oriental Bank" amounted to 48,583*l.*, including its Kandy agency, and that held by the "Bank of Ceylon," to 44,219*l.*, while the cash deposits of the former were not more than 32,800*l.*, and of the latter, about 30,000*l.* The total amount of coin in the several Government chests throughout the island, including deposits, amounted on the same day to about 58,000*l.* sterling.

With respect to the quantity of coined money supposed to be in general circulation throughout the island, or necessary for the ordinary purposes of its trade, we have really no means of making even an approximate calculation as to its amount. It is probably much larger than might be expected, owing to various causes which induce the native dealers to hoard up specie in large quantities, and above all, to the necessary flux and reflux in the stream of coined silver, which must be constantly in motion between this colony and the continent of India.

Annual import of specie.

The following table, extracted from the Custom House returns, will show the quantity of specie known to have been imported in each of the last four years; and although we have not the same means of ascertaining the amount of coin exported, still, according to all commercial rules, transactions of this nature must be ultimately adjusted in some way or other; and, as in this instance, the import of coin is not a matter of sudden or casual occurrence, but appears to be carried on through successive years to nearly the same amount, and principally from the same place, we have a right to conclude that the annual ebb and flow of specie must nearly balance each other. The mode by which this process is effected, which, in many respects, is peculiar to Ceylon, will be illustrated as I proceed.

Table showing imports of specie for four years.

RETURN showing the Amount of Specie Imported into Ceylon, in each of the following Years.

	1843.	1844.	1845.	1846.	First Three Quarters, 1847.
	£.	£.	£.	£.	£.
	314,386	517,795	441,842	381,842	226,661

How procured.

Nearly the whole of this specie consists of rupees, which are imported principally from Bombay (but partially from Madras), and have been received in payment of bills, which are drawn against produce shipped from Ceylon to London; but of the total amount of coin imported in the first three-quarters of the present year, it appears that only 15,000*l.* was received from Great Britain, of which 9000*l.* consisted of sovereigns for the banks, which never came into circulation, and 6000*l.* of copper money for the use of Government. During the last year (1846) not less than 200,000*l.* worth of rupees were imported by the "Oriental Bank" alone, and already, in the first three-quarters of the present year, the same establishment has received about 164,000*l.* in silver.

Annual export of specie.

The greater part of the rupees thus imported are speedily carried back again to various parts of the neighbouring coasts of India, for the purchase of rice, a portion of which, however, though certainly the smaller, remains to be paid for by bills drawn upon the local collectorates on the coast, which are purchased from the Madras Government, and are sent down to Ceylon for salt, and also to a very small extent by bills drawn by the directors of the East India Company, in London, upon the Madras Government, which are also sent direct to Ceylon as a remittance

Its causes.

and are sold here in exchange for rupees, and are then remitted to India, either for the payment of rice or for the purchase of rupees. Of course, a larger amount of rupees would have to be exported, were not the advantage offered of procuring these bills.

The following return will exhibit the value of the rice imported during the last four years.

CUSTOMS RETURN, showing the Value of Rice and Paddy imported into Ceylon during the following years :—

	1843.	1844.	1845.	1846.
	£.	£.	£.	£.
Rice and paddy imported principally from British possessions, but partly from foreign states .	334,345	350,230	459,262	430,177

Table showing value of rice imported for four years.

The total value of the rice imported during the first three-quarters of the present year cannot yet be ascertained, as the accounts from the outports are not completed; but at the principal port of Colombo, the imported rice and paddy has already paid duty upon the value of 235,000*l*.

The specie exported for the payment of the rice, of course, does not figure in the Custom House returns, because it is generally carried away privately by the numerous traders and speculators, and indeed every native Indian, down to the common day-labourer or coolie, who returns to the neighbouring coast, carries back almost the whole of his profits or savings in rupees. Hence arises the great demand for silver in the interior of the island during the busy season of the year. Scarcely less than 10,000*l*. a-month is remitted to the coffee districts, in specie, by each of the local banks, during the period of picking and preparing the coffee; and little, if any, of this large amount ever returns to Colombo. A great part of it is hoarded up, and soon afterwards carried out of the island.

Large remittances of specie into the interior.

At first view, it would appear to be a circumstance very difficult of explanation, that both food and specie should be regularly imported from the same country during many successive years, into this island, from which no equivalent is sent back in the shape of produce either natural or manufactured, to the country from whence the import comes.

The preceding tables have shown that the joint value of those two articles alone has averaged, during the last three or four years, considerably more than 800,000*l*. annually. The recent experience of the mother country is entirely of an opposite description. The fact would, indeed, be inexplicable, did we not also learn from experience that the coin is in reality the direct medium through which the food is purchased.

Rice and specie imported from the same country. 800,000*l*. a-year.

The imported coin merely serves to take the place of that which has already been exported to pay for food, and will in its turn be again exported for the same purpose, so long as Ceylon is unable to raise food enough for its own consumption.

Explanation of the foregoing.

And this leads to the consideration of the nominal value of the rupee in Ceylon, and the necessity or expediency of retaining it at its present current rate of 2*s*., which must in fact be regarded simply as a fixed rate of exchange. As long as the rupee was only current at its former rate of 1*s*. 10½*d*. in Ceylon (its real value in silver being 1*s*. 10½*d*. sterling), without reference to the difference of exchange, or, in other words, the expense of importing the rupees, they were of course as eagerly sought for as they are now, for export to the neighbouring rice-producing country, but there was no certainty whatever as to their being brought back again; and hence arose the many difficulties which Ceylon experienced owing to the want of coined silver. The Government was equally perplexed with the trader; and I have been informed by a merchant of long standing, that on one occasion when he was under the absolute necessity of remitting 3000*l*. in silver to the opposite coast, by a vessel on the point of sailing, he presented 3000*l*. in Government notes at the Treasury (there were no banks), and demanded silver. The treasurer, however, owing to the general scarcity of coin, was so ill-provided with specie, that he hesitated to pay the amount, until a threat was held out to him, that if the amount were not forthcoming in the course of the day, every one of the notes would be protested before a notary.

Current value of the rupee in Ceylon.

Disadvantages when it was only current for 1*s*. 10½*d*.

Difficulties of Government at that time.

The effect of raising the current value of the rupee by Sir Robert Horton has been, not as was erroneously supposed, to keep the coin in the country, but to ensure its being brought back again as often as it is taken away, which must inevitably continue to be the case as long as there is no other sufficient means of paying for the rice.

Effect of raising the current value to 2*s*.

The difference between the nominal value or fixed exchange of the rupee in Ceylon and its real value in sterling silver, or 1*s*. 10½*d*., is sufficient to cover the expense of freight, insurance, commission, and loss of interest, leaving a clear profit to the importer of about one farthing to one halfpenny upon each rupee, or one to two per cent., which in fact is the mercantile consideration for which the transaction is undertaken.

The difference constitutes the rate of exchange.

But the question next arises, how are these rupees paid for in India?—by what means are they procured? The answer is very simple, viz., not by the proceeds of produce shipped to India, but by bills drawn against produce shipped to England, which bills are sent up to Bombay for sale (having been purchased here by the banks), and the value of those bills in Bombay, according to the latest advices, was at the rate of 1*s*. 11½*d*. for the rupee, which therefore represents the price at which rupees must be purchased, in order to sell them here at 2*s*., which, if the rate of exchange were long to remain unchanged at Bombay, could only be imported at a clear loss to the importer, for the difference of five-eighths would not suffice to pay for the expenses.

The value of the rupee regulated by the exchanges.

Price at Bombay now is 1*s*. 11½*d*.

CEYLON.

Advantage of the banks for adjusting the exchanges.

Expense formerly paid by Government for import of specie is now saved.

Rate of exchange with India must always be against Ceylon.

Rupees not current in India for 1s. 10½d., but for 16 annas.

Operation of the exchanges.

Government get a profit by the rate of exchange.

Arguments in favour of retaining the rupee at 2s. in Ceylon.

Rupees must come from India, and must go back.

Remarks on the effect of opening the Coffee estates.

The material wealth of the colony has not been augmented in proportion to the investment of capital.

Commercial peculiarities.

Conclusion.

Therefore the banks here could only obtain a compensating profit by purchasing the bills which they have to send to Bombay at a low rate, viz., three per cent. discount, which in fact is their value at the present time.

From this view of the question, the advantage of the banks, for the due adjustment of the currency, is very evident; and the Government itself profits by the operation of the exchanges, as it saves the expense which it formerly was obliged to incur for the import of coin, which, nevertheless, it could not retain in the island. I find, that in the single year of 1837, the Government incurred a charge of not less than 555*l.* 16*s.* for the import of specie from Calcutta on its own account, which was reported by Sir Robert Wilmot Horton, in Despatch No. 243, of August 9, 1837.

I have endeavoured to show that the difference between the current value of the rupee in this island and its real value in sterling silver is simply equivalent to a fixed rate of exchange between this island and the neighbouring continent of India, which rate must always be against Ceylon, because it imports produce so largely from it, and exports scarcely anything whatever to it in return.

It is quite a mistake to suppose that the rupee is current in India at the rate of 1*s.* 10½*d.* It is there current simply for 16 annas; and money expressed in English sterling denomination is unknown. The par of exchange, of course, is the real value of the rupee in sterling, viz., 1*s.* 10½*d.*, but the rate of exchange fluctuates almost daily; and I have already shown, that rupees could not now be purchased in Bombay except at the rate of 1*s.* 11*d.* to 1*s.* 11½*d.* If, on the other hand, by a rise in the value of bills on England, the rupees were to be only taken in payment at the rate of 1*s.* 9*d.* or 1*s.* 9½*d.* at Bombay, the actual coin would then be sent to England, where it is worth 1*s.* 10½*d.*, and still more readily to Ceylon, where it is nominally worth 2*s.* The value of bills, therefore, could not long remain at such a rate.

Even the Government itself participates in the profits of the exchange; for bills drawn by the local government upon the Lords of the Treasury, for the part payment of Queen's troops, are sent up to Bombay for sale, and the profit to Government upon the transaction varies from 3 to 5 per cent. In truth, the exchange between Ceylon and England is much governed by the rate of exchange at Bombay, the value of whose imports from England is usually much larger than the value of its exports to it.

From the above reasoning upon the question of exchange, I think it will be apparent that no advantage whatever could result from altering the rate at which the rupee is current in Ceylon; and that many inconveniences might arise from any disturbance of the natural course of the exchanges. Neither do I think it could be easily shown that the price of rice would in the slightest degree be lowered by reducing the current value of the rupee to its natural par of exchange, or 1*s.* 10½*d.*, for the nature of all mercantile operations is to balance themselves in the long run; and there are no merchants in the world more shrewd in calculating their clear profits than the native Malabara traders.

Even if the rupee were made the only current coin in Ceylon, and were to pass as it does in India, simply for 16 annas, there would be precisely the same expense to be incurred by the community in some shape or other for the constant import of the rupees, which must come from India, where alone they are coined, and must go back to India where they are demanded for the payment of rice.

And here it may be asked, instead of sending bills to Bombay for sale, and the rupees which are purchased by them, to the Malabar coast to procure rice, would it not be better to send the bills direct to the Malabar coast, or to Madras?

The answer is a simple one,—bills on London are not saleable on the Malabar coast, except at Madras itself; and even the bills of the Madras Government, drawn on the local collectors, are only taken over by the native traders from Ceylon at certain seasons of the year, and to a small extent. The Malabar dealers prefer to encounter both the risk and the trouble of carrying the specie with them, rather than take bills which are only payable at the distance perhaps of 30 or 50 miles from the coast, and for the cashing of which they may have to pay at the place where the rupees are required, at the rate of from two to five, or even more, per cent. to some extortionate native money-dealer.

Another striking inference may yet be deduced from a careful consideration of the facts I have advanced: it would naturally be inferred, that the introduction of so large an amount of capital as has been invested in the opening of coffee estates, and the production of a new and valuable article in this island, the exportable value of which will this year probably amount to about 500,000*l.*, must have materially added to the wealth of the island, and, in fact, that the native inhabitants ought to be rapidly growing richer.

But we have here seen that a very large portion of the value of the bills drawn against that produce is sent to India for food to supply the yearly increasing demand, on account of the Malabar coolies, by the labour of whose hands the produce itself is entirely raised. The very food which they eat is imported from their own country, the greater part of the wages which they earn is carried back to their native villages, to which they themselves return, and comparatively little remains behind for the benefit of Ceylon but the growing coffee-bushes, and the duty levied upon the imported rice at the customs; for even the mercantile profit obtained by the importers of the rice is to a great extent carried out of the island also by Malabar dealers; the Cingalese participate comparatively little in it.

These few observations which I have almost insensibly been led to make upon the nature of the exchanges, and the peculiarities of the monetary position of Ceylon, will, I trust, be considered not altogether foreign to the object of this paper. The question of the actual paper circulation of Ceylon could scarcely be separated from the history of its past debts; and the consideration of the nature and extent of its metallic currency could scarcely be handled distinct

from that of its mercantile exchanges. These various important questions appear to be so intimately connected together, that I trust I may be pardoned for the length to which this paper has extended, and that the practical bearing of these remarks will not be impaired by their minuteness.

Colombo, November 10, 1847.

WM. D. BERNARD.

Enclosure 2 in No. 4.

Encl. 2 in No. 4.

STATE of GOVERNMENT PAPER CURRENCY, showing the Amount of each denomination of Notes created and put into circulation, from 1st September, 1844, to 31st August, 1845, and the Amount of each denomination Cancelled and withdrawn from circulation during the said period.

Period when Issued and Cancelled.	Notes of 1l. each.	Notes of 2l. each.	Notes of 5l. each.	Notes of 10l. each.	Notes of 20l. each.	Notes of 25l. each.	Notes of 50l. each.	Total.
	£.	£.	£.	£.	£.	£.	£.	.
Amount of Notes in circulation on the 31st August, 1844, as per last statement	44,031	41,864	830	500	100	75	100	87,500
Issued from 1st September, 1844, to 31st August, 1845	..	..	..	..	..	..	..	..
Total of Notes issued	44,031	41,864	830	500	100	75	100	87,500
Notes cancelled from 1st September, 1844, to 31st August, 1845	..	..	..	..	..	..	..	..
Notes in circulation, 31st August, 1845.	44,031	41,864	830	500	100	75	100	87,500
Deduct one Note of 50l. not current, having been called in by Government								50
Current Notes in circulation, 31st August, 1845								87,450
In the Government Chest £58,572								
In general circulation 28,878								
£87,450								

STATE of GOVERNMENT PAPER CURRENCY, showing the Amount of each denomination of Notes created and put into circulation, from 1st September, 1845, to 31st August, 1846, and the Amount of each denomination Cancelled and withdrawn from circulation during the said period.

Period when Issued and Cancelled.	Notes of 1l. each.	Notes of 2l. each.	Notes of 5l. each.	Notes of 10l. each.	Notes of 20l. each.	Notes of 25l. each.	Notes of 50l. each.	Total.
	£.	£.	£.	£.	£.	£.	£.	£.
Amount of Notes in circulation on the 31st August, as per last statement	44,031	41,864	830	500	100	75	100	87,500
Issued from 1st September, 1845, to 31st August, 1846	..	..	..	..	..	..	..	..
Total of Notes issued	44,031	41,864	830	500	100	75	100	87,500
Notes cancelled from 1st September, 1845, to 31st August, 1846	..	..	..	..	..	..	..	..
Notes in circulation, 31st August, 1846.	44,031	41,864	830	500	100	75	100	87,500
Deduct one Note of 50l. not current, having been called in by Government								50
Current Notes in circulation, 31st August, 1846								87,450
In the Government Chest £63,408								
In general circulation 24,042								
£87,450								

CEYLON.

STATE of GOVERNMENT PAPER CURRENCY, showing the Amount of each denomination of Notes created and put into circulation, from 1st September, 1846, to 31st August, 1847, and the Amount of each denomination Cancelled and withdrawn from circulation during that period.

Period when Issued and Cancelled.	Notes of 1 <i>l</i> . each.	Notes of 2 <i>l</i> . each.	Notes of 5 <i>l</i> . each.	Notes of 10 <i>l</i> . each.	Notes of 20 <i>l</i> . each.	Notes of 25 <i>l</i> . each.	Notes of 50 <i>l</i> . each.	Total.
Amount of Notes in circulation on the 31st Aug., 1846, as per last statement	£. 44,031	£. 41,864	£. 830	£. 500	£. 100	£. 75	£. 100	£. 87,500
Issued from 1st September, 1846, to 31st August, 1847	10,923	2,800	..	..	..	..	..	13,723
Total of Notes issued	54,954	44,664	830	500	100	75	100	101,223
Notes cancelled from 1st September, 1846, to 31st August, 1847	8,827	4,486	230	160	20	..	..	13,723
Notes in circulation, 31st August, 1847.	46,127	40,178	600	340	80	75	100	87,500
Deduct one Note of 50 <i>l</i> . not current, having been called in by Government								50
Current Notes in circulation, 31st August, 1847								87,450
In the Government Chest £48,084								
In general circulation 39,366 } £87,450								

Encl. 3 in No. 4.

Enclosure 3 in No. 4.

RETURN showing the CASH BALANCES of the GENERAL TREASURY and of the several CUTCHERRIES in CEYLON, on the 30th June, 1847, distinguishing the Amount in Coined Money, and in Notes.

	Coined Money.			Notes.	Total.
	Gold.	Silver.	Copper.		
In the General Treasury	£. 26	£. s. d. 39,398 5 3	£. s. d. 9,423 5 7½	£. 47,636	£. s. d. 96,483 10 10½
„ Cutcherries of the Western Province	..	11,532 9 10	5,215 0 9	39,091	55,838 10 7
„ „ Southern „	..	2,909 16 3	38 13 7	1,538	4,486 9 10
„ „ Northern „	..	9,830 19 0	201 0 3½	1,563	11,594 19 3½
„ „ Eastern „	..	2,748 8 8	2,725 3 1½	3,662	9,135 11 9½
„ „ Central „	..	3,144 0 0	198 17 0½	608	3,950 17 0½
„ „ North-Western Province	26	2,764 15 0	39 15 2½	275	3,105 10 2½
Deduct—					
Deposits in the Cutcherries of the Western Province included above.			£. s. d. 1,414 16 3½		
„ „ Southern „			3,161 12 0½		
„ „ Eastern „			988 6 3½		
„ „ Central „			10,576 2 8½		
„ „ North-Western „			830 7 11½		
Available for Government purposes				£ 79,512 5 7½	

(Signed) P. E. WODEHOUSE, Acting Treasurer.

RETURN showing the CASH BALANCES of the GENERAL TREASURY and of the several CUTCHERRIES in CEYLON, on the 31st July, 1847, distinguishing the Amount in Coined Money, and in Notes.

	Coined Money.			Notes.	Total.
	Gold.	Silver.	Copper.		
In the General Treasury	£. 26	£. s. d. 40,682 5 7½	£. s. d. 9,331 5 5½	£. 46,855	£. s. d. 96,894 11 0½
„ Cutcherries of the Western Province	..	9,868 10 4	5,165 1 3½	35,061	50,094 11 7½
„ „ Southern „	..	3,858 18 0	36 12 3½	1,166	5,061 10 3½
„ „ Northern „	..	5,782 3 0	290 12 0½	3,251	9,323 15 0½
„ „ Eastern „	..	2,268 1 9½	2,746 9 3	4,724	9,738 11 0½
„ „ Central „	..	1,499 0 0	195 19 1½	1,125	2,819 19 1½
„ „ North-Western Province	26	13,811 18 6	884 8 8½	1,128	15,824 7 2½
Deduct—					
Deposits in the Cutcherries of the Western Province, included above			£. s. d. 1,633 12 10		
„ „ Southern „			3,665 16 0½		
„ „ North-Western „			1,224 3 8½		
„ „ Eastern „			946 14 1½		
„ „ Central „			8,950 13 0		
Available for Government purposes				£ 80,473 11 4½	

(Signed) P. E. WODEHOUSE, Acting Treasurer.

RETURN showing the CASH BALANCES of the GENERAL TREASURY and of the several CUTCHERRIES in CEYLON, on the 31st August, 1847, distinguishing the Amount in Coined Money, and in Notes.

CEYLON.

	Coined Money.							Notes.	Total.		
	Gold.	Silver.			Copper.						
	£.	£.	s.	d.	£.	s.	d.		£.	£.	s.
In the General Treasury	..	11,293	6	4	5,105	1	7½	35,919	52,317	7	11½
„ Cutcherries of the Western Province . . .	..	4,941	11	0	25	7	4	1,284	6,250	18	4
„ „ Northern „ . . .	..	1,686	18	4	2,744	3	3½	4,876	9,307	1	7½
„ „ Eastern „ . . .	..	174	17	0	183	18	10½	1,096	1,454	15	10½
„ „ Central „ . . .	..	11,152	9	7	759	7	3½	1,802	13,713	16	10½
„ „ North-Western Province . . .	26	4,861	10	0	51	11	1½	608	5,547	1	1½
„ „ Southern „ . . .	..	11,072	1	0	207	16	3	2,499	13,778	17	3
	26	45,182	13	3	9,077	5	9½	48,084	102,369	19	0½
Deduct—								£.	s.	d.	
Deposits in the Cutcherries of the Western Province								1,616	11	5½	
„ „ Northern „ . . .											
„ „ Eastern „ . . .								1,004	13	8½	
„ „ Central „ . . .								8,257	0	1½	
„ „ North-Western Province								893	10	2½	
„ „ Southern „ . . .								3,584	10	1½	
									15,356	5	7½
Available for Government purposes								£	87,013	13	5

(Signed) P. E. WODEHOUSE, Acting Treasurer.

RETURN showing the CASH BALANCES of the GENERAL TREASURY and of the several CUTCHERRIES in CEYLON, on the 30th September, 1847, distinguishing the Amount in Coined Money, and in Notes.

	Coined Money.						Notes.	Total.			
	Gold.	Silver.			Copper.						
	£.	£.	s.	d.	£.	s.	d.	£.	£.	s.	d.
General Treasury	..	18,081	13	4	6,410	1	0½	25,457	49,948	14	4½
Western Province	..	5,180	13	0	54	0	2½	1,386	6,620	13	2½
Southern „	..	9,666	7	0	215	11	4½	1,724	11,605	18	4½
Northern „	..	1,783	0	8	2,636	2	1½	4,760	9,179	2	9½
Eastern „	..	1,785	0	0	98	10	0½	1,733	3,616	10	0½
Central „	..	8,381	10	0	749	2	1	681	9,811	12	1
North-Western Province	26	2,796	6	0	161	4	9½	597	3,580	10	9½
	26	47,674	10	0	10,324	11	8½	36,338	94,363	1	8½
<i>Deduct—</i>								£.	s.	d.	
Deposits of the Western Province								1,589	17	7	
„ Southern „								3,254	13	5½	
„ Eastern „								1,047	17	3½	
„ Central „								474	5	10½	
„ North-Western Province								785	11	9½	
									7,152	6	0½
Available for Government purposes								£	87,210	15	8

(Signed) P. E. WODEHOUSE, Acting Treasurer.

(No. 175)

No. 5.

No. 5.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo, December 13, 1847.

(Received January 31, 1848.)

MY LORD,

In my Despatch, No. 157, of the 13th November, I had the honour to forward to your Lordship, copy of a Bill as amended in a Committee of the Legislative Council for "Regulating the Duties of Customs payable on goods imported into and exported from this Island." The Bill was finally passed in Council on the 23rd ultimo, and it now becomes my duty, in submitting the Ordinance, No. 9, to your Lordship in its completed form, to make such explanatory observations upon the various changes in the tariff, which it is proposed

Answered by No. 192, 25th March, 1848, page 327.

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CEYLON.

to effect by it, as will I trust satisfy your Lordship and the Lords of Her Majesty's Treasury, that they have not only been rendered necessary by the altered state of the commercial relations of the colony, but that they constitute a material part of those measures of financial improvement which were recommended in the Report of the Committee appointed by your Lordship to inquire into the general state of the affairs of Ceylon.

Guided by those high principles of liberal commercial policy which have distinguished Her Majesty's present advisers, I have endeavoured to introduce such modifications into the tariff, as will be calculated to give full encouragement to an increased production of the staple articles of export of the colony, and generally to improve the tone of mercantile transactions. I am deeply sensible of the necessity for exercising the most cautious judgment in adopting important changes, and for maturely weighing the whole bearings of the case, before venturing to undertake even, what may at first view appear to be improvements, where questions of finance are concerned. As soon as I shall be in a position to transmit to your Lordship the supply ordinance for 1848, which will immediately be laid before the Legislative Council, I trust I shall be able to evince to your Lordship the anxiety with which I have applied myself, to provide with the utmost caution for the proper adjustment of the revenue and expenditure during the coming year. By the exercise of rigid economy in all departments, by curtailing every expenditure not immediately necessary, and by developing new sources of revenue, which, as I think, will not press unduly upon any one particular class or interest in the colony, I entertain the most confident hope that the revenue for the ensuing year will be found fully adequate to the expenditure. I have every reason to expect that the prosperity of the colony will, in future years, be gradually but surely augmented.

On my first arrival in Ceylon, I found that great expectations had already been raised, with regard to a speedy modification of the export duties. Much anxiety upon the subject was everywhere expressed; indeed with regard to the cinnamon duty in particular, so many grounds existed for a speedy modification of it, that it seemed scarcely possible long to defer the ten months' notice which it was necessary to give before any change with regard to it, could be made.

The question of the partial reduction or total abolition of this duty was early and anxiously discussed in the Executive Council. The trade in this article had become exceedingly depressed, and the position of the growers of it very precarious. Considerable losses had been sustained upon the second and third sorts; and in not a few instances cinnamon grounds had been broken up, and cocoa-nut plantations formed in their stead. There was, indeed, too much reason to fear that, if speedy relief were not afforded, the whole cinnamon trade of the island would be in jeopardy. Under any circumstances, it appeared indispensable that a new stimulus should be at once given to the cultivation of this staple article of produce, by reviving the languishing spirits of the cultivators. Had the prospects of the revenue from other sources been sufficiently decided to have permitted the entire abolition of the duty, it would probably have been the preferable course to pursue; but anxious to proceed with due caution in making extensive alterations, my Executive Council concurred with me in thinking that a reduction of duty from 1s. to 4d. per lb., to commence from September, 1848, and to be followed by the total abolition of it at a future period, would be sufficient for the present to sustain the drooping trade in this article. It was deemed advisable, however, to delay the requisite notice, until the greater part of this year's crop had been shipped.

In the Ordinance which I have now the honour to submit, provision has been made for the reduction I have mentioned. With a view to place in a clearer light before your Lordship the actual position of the cinnamon trade, I have taken some pains to prepare the following tables. The *first* of these will exhibit the quantity of cinnamon exported, the total value of the article at the place of export, and the amount of duty collected thereon, in each of the years 1844, 1845, and 1846. The *second* will show the average price of all the sales of cinnamon and of cassia, in the London market, in each of the same years, 1844, 1845, and 1846. And the *third table* will exhibit the relative quantity of cinnamon and of cassia exported from England; and also the quantity delivered for home consumption in each of the years 1839, 1840, 1841, 1842, 1843, 1844. I regret that I am not in possession of the Reports of the Board of Trade for 1845 and 1846, and am therefore prevented from making these

returns so complete as I could wish. Nevertheless they will suffice to elucidate some curious facts, which I proceed briefly to notice.

CEYLON.

TABLE I.—CEYLON.

TABLE showing the Quantity of Cinnamon Exported, its Local Value, and the Amount of Export duty thereon, in the following years :—

YEAR.	Quantity of Cinnamon Exported.	Value.	Amount of Export Duty.
	lbs.	s. d.	£. s. d.
1844	1,063,941	105,784 2 0	53,197 6 0
1845	408,211	40,821 2 0	20,410 11 0
1846	401,656	40,165 12 0	20,082 16 0

TABLE II.—CEYLON.

TABLE showing the Average Price in London of Cinnamon and of Cassia in the following Years :—

	Cinnamon. Average of all the Sales in London.			Fine Cassia. Sales in London per Packages of 100lb. and per lb.	
	1st Sort.	2nd Sort.	3rd Sort.	per 100 lbs.	per lb.*
	per lb. s. d.	per lb. s. d.	per lb. s. d.	s.	d.
1844	4 11½	4 0½	3 5½	65	7½
1845	3 11	3 2½	2 4½	70	8½
1846	3 9	2 6½	1 9	66	8

* Decimals are excluded.

TABLE III.

TABLE showing the Quantity of Cassia, and also of Cinnamon, Exported from England to Foreign Parts, and likewise the Quantity delivered for Home Consumption, between the Years 1839 and 1840 inclusive. Compiled from the Returns of the Board of Trade.

(N.B. The Returns for 1845 and 1846 are not in the Colony.)

	In Packages of 100 lbs. each.											
	1839.		1840.		1841.		1842.		1843.		1844.	
	Cassia.	Cinnamon.	Cassia.	Cinnamon.	Cassia.	Cinnamon.	Cassia.	Cinnamon.	Cassia.	Cinnamon.	Cassia.	Cinnamon.
England, exported from	6,568	4,349	6,444	4,645	12,619	5,143	12,473	3,685	19,862	4,224	14,028	6,619
Delivered for Home Consumption . .	1,064	163	740	155	830	154	1,195	167	1,344	167	1,121	185
Total . .	7,632	4,512	7,184	4,800	13,449	5,297	13,668	3,852	21,206	4,391	15,149	6,804

With respect to Table No. I., it seems difficult to account for the very large export of cinnamon in 1844, compared either with some previous or with subsequent years. The reduction of duty from 2s. to 1s. per lb. took place in 1842, and there is some reason to think that cinnamon was for some time held back, in the expectation that the duty would soon be entirely removed. But perhaps the principal cause of the very large export of 1844, was the cutting of every twig of cinnamon in the Government gardens, whether good or bad, by the renter of that year; and probably this bad example was followed even by some other individuals to the detriment of future crops.

By Table No. II., it will be very apparent that within the last few years the inferior article of cassia lignea has come into competition very largely with all the three kinds of cinnamon. While fine cassia can be sold at so low a price as 8d. per lb., and the supply both of cassia and of cinnamon from foreign countries continues progressively to increase, it must be evident that cinnamon, even of the finest description, must undergo an increasing reduction of price. The fact is indisputable, that a reduction has already taken place year after

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year in the price of all kinds of Ceylon cinnamon in the London market. From trustworthy calculations which I have in my possession, I have reason to believe that cinnamon cannot be grown and delivered in London, including the 1s. export duty and all charges, under 2s. 3d. to 2s. 4d. per lb., without including any profit upon the outlay, interest of money, rent of the estate, &c.

But from an inspection of Table No. III., it will be evident that the demand for cassia, or what is the same thing, the export of it from England, has been doubled and even trebled since 1840. And it is not a little remarkable, that whereas the export of cassia in 1840 was only about 6000 packages, it rose in 1843, the year after peace was concluded with China (whence a very large part of it has latterly been obtained), to upwards of 19,000 packages. From the same table it will also be apparent how small a comparative quantity, either of cassia or of cinnamon, is consumed in England. The demand from foreign countries is also now in some degree supplied directly from Java itself, and the cultivation of the spice in the possessions of the East India Company on the coast of Malabar, has latterly been very much extended. I trust it is unnecessary for me to dwell longer upon the important question of the reduction of the cinnamon duty preparatory to its entire abolition; I can only express my earnest hope that the course which I have felt it my duty to pursue in this respect will meet with your Lordship's fullest approbation.

The article next in importance, the export duty upon which it is proposed, by this Ordinance, to remove entirely in September next, is the interesting and important one of coffee. It is not without reluctance, and only after mature and anxious deliberation, that I have felt it my duty to agree to the surrender of the revenue derived from this new and increasing article of production. But apart even from the consideration of those higher principles of commercial policy which are opposed to the retention of export duties in general, there are special grounds for the removal of this impediment to the progressive extension of the coffee cultivation of Ceylon, which appear to me much stronger than any that could be advanced in favour of an objectionable source of revenue.

The reduction in the price of coffee in the home market, and the daily increasing competition with the produce of other countries, added to the fact that the expense of cultivation is much greater, and the prospect of permanent crops from the same soil probably less in Ceylon than in many other coffee-growing countries, combine to render an export duty upon the produce raised peculiarly objectionable. The coffee-planters are far from being in that thriving condition which it was at one time supposed they would rapidly attain; indeed, in some instances, their most sanguine hopes have been entirely falsified. I am not without hope, however, that by judicious encouragement, and by adopting measures for attracting a constant supply of labour, the position and prospects of the planters will be gradually and permanently improved.

It may, I hope, within a short period, be quite possible to introduce a moderate and equitable land-tax to be levied upon the estates themselves; and the first step which I have felt it my duty to take, with this object in view, has been the passing of an Ordinance, to enable me to obtain some indispensable returns calculated to show the exact extent, condition, and state of cultivation of those estates. This may probably constitute the first step towards the introduction of a general tax upon cultivated lands throughout the colony. But the question with regard to other than coffee lands, is beset with so many and unexpected difficulties, arising out of the absence of surveys, and the many local peculiarities respecting rights of property and subdivision of lands, &c., that I feel unable to look forward to any near or certain period when a general land-tax can be systematically and universally applied.

The following Table will exhibit the quantity of coffee exported, together with its value, and the amount of export duty levied on it in each of the years 1844, 1845, and 1846:—

TABLE showing the quantity of Coffee exported from Ceylon, its Customs' Value, and Amount of Duty levied in the following Years.

Year.	Weights in Cwts.			Value.			Amount of Duty.		
	Cwts.	qrs.	lbs.	£.	s.	d.	£.	s.	d.
1844	133,957	2	14	267,663	0	2	6,691	11	7
1845	178,603	3	17	363,260	1	3	9,051	9	10
1846	173,892	1	5	328,791	3	0	8,219	15	7

The quantity of coffee exported in 1847 will be found to have considerably exceeded that of 1846, as a larger number of estates have since come into bearing; but its exact amount cannot be ascertained until the Customs' accounts for the year shall have been completed.

As the abolition of the export duty will not take place until September, 1848, I have every hope that in the intervening period such a cautious measure for the imposition of a moderate land-tax upon the coffee estates will have been matured, as will enable me to raise as large, or even larger an amount of revenue from that source as is now produced by the export duty, without its being open to the same well-founded objections.

With regard to the remaining export duties which it is also proposed to abandon in September, 1848, the total amount raised from them, and which is levied upon not less than 25 to 30 different articles, has scarcely exceeded 3000*l.* a-year. The exact amount raised in each of the years 1844, 1845, and 1846, is shown in the following Table:—

AMOUNT of Export Duties levied on 25 to 30 Articles, the produce of Ceylon, exclusive of Coffee and Cinnamon, in the following Years:—

	1844			1845			1846		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
	3,076	17	7	3,069	16	11	3,187	4	6

To have retained the export duties upon many articles of produce, merely for the sake of keeping hold of so small an amount of objectionable revenue, would have been to violate that general principle of commercial policy upon which I have ventured to take my stand, without any possible prospect of compensating benefit in future years. But even as a distinct practical question, the arguments which are founded upon the necessity of encouraging to the utmost the whole agricultural system of Ceylon, long drooping and languishing as it has been, by withdrawing every direct obstacle to an increased production of exportable articles, appear to me, as I trust they will also do to your Lordship, far to outbalance any narrower view of apparent immediate advantage from the retention of these small duties, which it is on all sides admitted are objectionable on principle, and which I trust I shall be able to show are injurious in fact.

I cannot withhold from your Lordship the expression of my honest expectation, that the stimulus which will be given to cultivation generally, by the adoption of this liberal measure, will at no distant time have so far augmented the material prosperity of the island, as to produce an increase in the general revenue to be derived from other sources, which will more than counterbalance any temporary loss.

The most important articles from which these minor export duties have been raised, are sugar, tobacco, cocoa-nut oil, and coir manufactured, areca nuts, plumbago, and timber. With respect to sugar, the cultivation of it is yet in its infancy in Ceylon; the increasing competition it will have to meet with in the home market, renders it clearly desirable that no local obstacle whatever should be thrown in the way of its increased production in this colony. If carefully fostered at the present time, it is not improbable that it may become an article of some importance.

In former times the tobacco trade of Ceylon was very considerable. The northern province is peculiarly adapted for the growth of the plant. Enormous export duties were for many years maintained, for the revenue temporarily derived from them was considerable. But the trade gradually declined, as tobacco was forced into cultivation on the opposite coast, and although successive reductions in the export duty were of necessity allowed, they came too late to save the tobacco trade from almost total ruin. The habit of using a different kind of tobacco had in the meantime become established at Travancore and elsewhere, so that even the reduction of the export duty to 2½ per cent. did not suffice to re-establish the demand for the article. The total abolition of this duty, therefore, appears to offer the only prospect of reviving this once important trade.

The tax formerly levied upon the cultivation of the areca nut, has long been of necessity abandoned. And the same grounds for the abolition of the remaining export duty exist, as in the case of other articles.

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With regard to the increasing trade in the cocoa-nut oil and other productions of the cocoa-nut tree, I propose, as soon as circumstances permit, to levy a reasonable tax upon cocoa-nut plantations, which they appear to be well able to bear, and which will be a most advantageous substitute for the existing export duty.

The other articles of export to which I have alluded, do not appear to require further comment, for the great principle which applies with so much force in the one case, must necessarily be applicable to another. I trust that I have already said sufficient to warrant me in the hope that the course which I have felt it my duty to adopt, with the advice of my Executive Council, will meet with your Lordship's entire and unreserved approbation.

It now remains for me to bring to your Lordship's notice the changes which it is proposed by this Ordinance to make with respect to the import duties.

The first, and not the least important of these, is the equalization of the duties leviable upon British and foreign goods, in other words, the reduction of the duty upon foreign goods from 10 to 5 per cent., as was recommended in the report of your Lordship's Committee. Although the amount raised from this duty is inconsiderable (scarcely exceeding upon the whole duty of 10 per cent., about 2000*l.*), the discriminating duty is levied upon more than 60 different articles. As part of a general measure of liberal policy, it seemed highly desirable that the differential duty of 5 per cent. should be at once abandoned.

The immediate loss of revenue will be small, while the prospective benefit to be derived from the measure will at no very distant period be great. Should any relaxation of the navigation laws be permitted, it can scarcely be doubted that a considerable foreign trade with Ceylon would in a short time spring up, and the cinnamon, which is all at present carried to England, before it is ultimately distributed throughout the world, would be partly carried direct to the places at which it is in demand.

But whatever loss may be for the present sustained by the proposed change, in this respect, I have a confident expectation that it will be fully made up by the receipts from slightly increased duties on other articles; sugar, the produce of British possessions, which was before admitted at an *ad valorem* duty, will now pay 2*s.* 6*d.* per cwt., and sugar candy 5*s.* per cwt.

A duty will also be levied upon fire-arms, and the duties upon wines, opium, tobacco, and some other articles, will be slightly increased. A few other articles, which before were admitted free, will now pay an *ad valorem* duty of 5 per cent. With a view to encourage agriculture, and particularly the cultivation of sugar, manures will be admitted free. And here I would observe, that although the alterations in the export duties will not take place until September next, the moderate increase in the import duties, to which I have alluded, will commence from 6th January, which will tend to benefit the revenue, before any reduction whatever in other respects can take place.

I have not felt myself in a position to make any modification in the import duty on rice and paddy; neither at the present moment does there appear to be any adequate advantage to be derived from the reduction of a duty from which so considerable a revenue is raised, even could a portion of that revenue be spared.

Until the time shall arrive when a general land tax can be introduced (of which, I fear, there is no immediate prospect), it will scarcely be possible to make any material reduction in the import duty on these articles.

Although this is not the appropriate opportunity for entering into a general view of the future financial prospects of the colony, I cannot refrain from observing, that although by the preceding statement it will appear, that after September next the alteration in the export duties will occasion a considerable apparent loss to the revenue to be derived from the customs, I have not failed to make ample provision for meeting this deficiency by adopting other less objectionable sources of income. The most important among these will be the revenue to be derived from an entire revision of the stamp duties, for which purpose a most comprehensive measure has been already prepared, and will, I hope, in a short time have passed through the Legislative Council. I have every reason to anticipate that the income to be derived from this source will be very considerable.

A tax upon carriages and horses, and also upon the possession of fire-arms, will likewise add materially to our resources. I have also nearly ready to be

laid before the Legislative Council (with the assistance of Mr. Wodehouse), a measure for introducing throughout the colony a comprehensive scheme of local taxation for local purposes, which will be calculated materially to relieve the general revenue, and without being burdensome upon the people, will, I hope, conduce largely to the improvement and the ultimate advancement of the colony.

By these various means, I have every confidence that the inadequacy of the public income to meet the expenditure which has for the last two years sufficed to swallow up so large a portion of the surplus funds of the colony, will for the future be no longer apparent. I am prepared to advance step by step with the utmost caution in the path of improvement, and to exercise the most careful forethought in introducing changes, however beneficial they may at first sight appear. There is every reason to expect that the revenue will fully equal, or even slightly exceed, the income for the ensuing year, even without the aid of a land tax. But I look forward with much interest to the period, as not altogether remote, when a first step at least may be made towards the introduction of such a measure, even though the complete accomplishment of it may be more distant. It is my most sincere hope that the prosperity of the colony may yearly increase, and that by caution, prudence, and firmness, the finances will be gradually but surely established upon a wholesome basis.

Thus far, my Lord, I have used my strenuous efforts to follow out those prudent recommendations, and to be guided by those enlightened views of policy which are embodied in the Report of your Lordship's Committee,* and which have received your Lordship's sanction. I am very sensible that much yet remains to be done, to carry out to their full extent the benevolent intentions of Her Majesty's Government towards Ceylon, and I shall continue to apply myself with anxious and unremitting care to the accomplishment of the great work of improvement which under your Lordship's instructions has been committed to my charge.

* Vide Report of 13th April, 1847, page 7. Paper presented to both Houses of Parliament by command, April, 1848.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Enclosure in No. 5.

Encl. in No. 5.

ORDINANCE enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 9.

For regulating the duties of customs payable on goods imported into, and exported from, this island.

WHEREAS it is expedient to alter the duties of customs now payable on goods lawfully imported into, and exported from, this island: Preamble.

1. It is therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that from and after the sixth day of January, One thousand eight hundred and forty-eight, the several duties, set forth in figures in the table hereunto annexed marked A, shall be raised, levied, and collected in respect of such goods as are mentioned therein, upon their importation into this island; and that from and after the first day of September, One thousand eight hundred and forty-eight, the duties set forth in figures in the table hereunto annexed, marked B, shall be raised, levied, and collected in respect of such goods as are mentioned therein, upon their exportation from this island: and that the said import and export duties respectively, shall, from and after the said several periods, that is to say, the said duties on goods imported from and after the said sixth day of January, One thousand eight hundred and forty-eight, and the said duties on goods exported from and after the said first day of September, One thousand eight hundred and forty-eight, be in lieu of the duties of customs now payable upon goods lawfully imported into, and exported from, this island: anything in the Ordinance No. 5 of the year 1837, entitled "An Ordinance to amend the laws relating to the Ports and Customs;" or in the Ordinance No. 8 of 1840, entitled "to amend the Ordinance No. 5 of 1837, and to regulate the Warehousing of Goods;" or in the Ordinance No. 6 of the year 1842, entitled "An Ordinance to amend the laws relating to the Customs;" or in any other law or Ordinance in force within this island, to the contrary notwithstanding.

Import Duties.

Export Duties.

2. And it is further enacted, that all goods whatsoever which shall have been warehoused without payment of duty, upon the first importation thereof, and which shall be in the warehouse on the said sixth day of January, One thousand eight hundred and forty-eight, shall become liable to the duties imposed by this Ordinance, in lieu of all former duties.

Goods in warehouse to be liable to the duties imposed by this Ordinance.

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Duties to be collected in the same manner as duties formerly imposed.

3. And it is further enacted, that the duties imposed by this Ordinance shall be levied, collected, paid, and recovered in like manner as if such duties had been imposed by the before-mentioned Ordinance No. 5 of 1837, or by the said Ordinance No. 8 of 1840.

TABLE OF CUSTOMS' DUTIES.

A.—Import Duties.

	Duty.		
	£.	s.	d.
Ale, Porter, and all other Malt Liquors, per imperial gallon	0	0	3
Cigars, per thousand	0	5	0
Fish, dried or salted, and Fins and Skins the produce of creatures living in the sea, per cwt.	0	1	6
Guns and Rifles, each	0	5	0
Gunpowder, per lb.	0	0	4
Opium, per lb.	0	2	0
Paddy, per bushel	0	0	3
Pistols, per pair	0	5	0
Rice, per bushel	0	0	7
Spirits and Cordials, per imperial gallon	0	5	0
Sugar, per cwt., unrefined	0	2	6
Ditto ditto refined, or Candy	0	5	0
Tea, per lb.	0	0	6
Tobacco, per cwt, unmanufactured	0	10	0
Ditto ditto manufactured, other than Cigars	1	0	0
Snuff, per lb.	0	1	6
Wheat, Gram, Peas, Beans, and other Grain (except Paddy), per bushel	0	0	7
Wine, per imperial gallon, in bottles	0	2	6
Ditto ditto not in bottles	0	1	6
Goods, wares, and merchandize, not otherwise charged with duty, or prohibited and not comprised in the table of exemptions hereinafter set forth, for every 100 <i>l.</i> of the value thereof in this market	5	0	0

Table of Exemptions.

Books and Maps, printed	}	Free.
Bullion, Coin, Pearls, and Precious Stones		
Coal and Coke		
Copperah.		
Garden Seeds, and Plants		
Horses, Asses, Mules and all other Live Stock		
Ice		
Manures		
Regimental Accoutrements		
Specimens of Natural History		

B.—Export Duties.

Cinnamon, per lb.	0	0	4
All other articles			Free.

Passed in Council, the Twenty-third day of November, One thousand eight hundred and forty-seven.

G. C. TALBOT,
Acting Clerk to the Council.

Published by Order of his Excellency the Governor.

J. EMERSON TENNENT, Colonial Secretary.

No. 6.

(No. 8.)

No. 6.

COPY of a DESPATCH from the Right Honourable Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo,
January 10, 1848.

(Received February 28, 1848.)

Answered Mar. 24, MY LORD,
1848, No. 191,
p. 327.

THE large and increasing importation of fire-arms into Ceylon, and their indiscriminate possession by the natives, is a subject to which my predecessor invited your Lordship's attention by a Despatch under date the 13th March, 1846, No. 19.*

Having brought the subject before my Executive Council, I have, with their unanimous assent, caused an Ordinance to be introduced into the Legislative Council for the purpose of establishing a system of registration and license for the use of fire-arms. A copy of this Ordinance in the form in which it has passed the Council, I have now the honour to forward for Her Majesty's confirmation.

The testimony of all authorities from every province of the island is concur-

No. 13 of 1947.

* Vide Statement of Arms, &c. imported, Appendix No. 2, page 377.

rent as to the absolute necessity of such a law for the ensurance of public safety ; and I am not without hope that the revenue arising from the sale of these licenses will be such as to leave a considerable surplus to be carried to the public account, after defraying all the expenses incident to registration.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Enclosure in No. 6.

Encl. in No. 6.

ORDINANCE enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 13.

To regulate the possession of Fire-arms.

WHEREAS it is expedient to establish in all parts of this island one general and uniform provision respecting the possession and use of fire-arms : Preamble.

1. It is therefore hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that so much of the Regulation No. 1, of 1815, entitled "For regulating the sale and possession of arms and ammunition, and for prohibiting the sale, gift, or disposal of horses to natives of India in Ceylon, not subjects of the British Government;" and so much of the Proclamations given at Kandy, the 19th day of January, 1818, and the 21st day of November, 1818; and so much of the Regulation No. 9, of 1820, entitled "For amending the first Regulation of 1815, entitled 'For regulating the sale and possession of arms and ammunition, and for prohibiting the sale, gift, or disposal of horses to natives of India in Ceylon, not subjects of the British Government;' and for repealing so much thereof as prohibits the sale of horses to natives of India not being subjects of the British Government" as relates to the possession and use of arms shall be, and the same is hereby, repealed, save and except as to any offences already committed or liabilities incurred thereunder. Repeal of former laws.

2. And it is further enacted, that from and after the commencement of this Ordinance it shall not be lawful for any person to have in his custody or possession any arms without having obtained a license for such arms; and any party who shall have in his custody or possession any arms, without having obtained such license, shall be guilty of an offence, and be liable on conviction thereof to a fine not exceeding five pounds for the first offence, and for the second and every other offence to a fine not exceeding ten pounds; and all such arms shall in every such case of a first or other offence be forfeited to the use of her Majesty, her heirs and successors, if the Court before which such conviction shall take place shall so adjudge. Provided always, that nothing herein contained shall be construed to apply or extend to any licensed manufacturer of or dealer in arms, nor to any person while actually employed by any such manufacturer of or dealer in arms to carry or convey arms for the purpose of his trade; and provided also that nothing herein contained shall apply or extend to any person while entrusted by a person having such license with the temporary use or custody of any arms for which a license has been obtained. And provided also, that no member of the family of a deceased person who had at the time of his decease a license to keep arms shall be liable to any fine for having such arms until after the expiration of one calendar month from the death of such licensed person. License to possess fire-arms.

3. And it is further enacted, that any person who may be desirous to obtain any such license shall make an application in writing to that effect, as near as is material, according to the Form in the Schedule hereunto annexed, marked A, to the Government Agent, or some Assistant Government Agent of the province within which such person resides, specifying the particular place in such province where he usually resides, and the number and description of arms for which licenses are required, and such Government Agent, or Assistant Government Agent, shall issue to the person making the same a license for each gun, pistol, or other description of arms specified in such application as near as is material, according to the Form in the Schedule hereunto annexed, marked B, which license shall be in force on and from the day on which the same shall be dated for twelve calendar months, and no longer. Penalty.

4. And it is further enacted, that whenever the said application for a license shall not show that any such arms are marked with such names or figures, or in such other manner as that the same may be readily identified, it shall be lawful for the Government Agent, or Assistant Government Agent, to whom the application is made, before granting the license applied for, to require the applicant to produce to him any such arms, and thereupon to cause the same to be marked, either on the stock or barrel, with some permanent mark, whereby the same may afterwards be known and identified, but in such manner as not to injure or disfigure the same: and such arms when duly marked shall, with the license relating thereto, be delivered to the said applicant; and the expenses attendant on such marking shall be defrayed by the Government Agent, or Assistant Government Agent, out of the public funds. And if any person shall wilfully obliterate or deface, or shall alter, counterfeit, or forge any such mark, or shall mark any arms with any mark resembling or intended to resemble any mark used by such Government Agent, or Assistant Government Agent, under the provisions of this Ordinance, with intent thereby to expose any person to any fine imposed by this Ordinance, or to defraud Provisos.

How obtained.

Fire-arms may be marked by the Government agent if necessary.

Penalty for fraudulently obliterating, or forging mark.

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- Her Majesty of any stamp duty, or to commit any other fraud, every such offender shall forfeit for each offence a sum not exceeding twenty pounds.
- Register of licenses.** 5. And it is further enacted, that every Government Agent, and Assistant Government Agent, shall register all such licenses so granted in a book to be kept for that purpose, and shall preserve in his office the original applications for the same, during the time such licenses shall be in force : and it shall be lawful for any person, at any time during office hours, to demand inspection of the said book, and of any such original application ; and also to take any copy or extract therefrom.
- Proceedings where license is lost, &c.** 6. And it is further enacted, that if any such license shall be by any casualty destroyed, defaced, or lost, it shall be lawful for the person to whom the same shall have been granted to report the same to the Government Agent, or any Assistant Government Agent for the province wherein such person resides ; and if such Government Agent, or Assistant Government Agent, shall be satisfied of the fact of such casualty or loss, he shall grant to such person a certificate in the form in the Schedule hereunto annexed, marked C, reciting such loss, and setting out the purport and effect of the license so lost, defaced, or destroyed ; and such certificate shall be in lieu thereof, and of like force and effect.
- Proof of ownership.** 7. And it is further enacted, that the occupier of any house or premises in which any arms shall be found, shall for the purposes of this Ordinance be deemed and taken to be the possessor of such arms.
- License to manufacture or sell arms.** 8. And it is further enacted, that from and after the commencement of this Ordinance, no person shall make, mend, repair, or keep for, or expose to sale in this island by way of auction or otherwise, any arms, or any part of any arms, without a license from the Government Agent, or some Assistant Government Agent of the province within which such person resides ; which license shall be as near as is material according to the form in the Schedule hereunto annexed, marked D, and shall be in force on and from the day on which the same shall be dated for twelve calendar months and no longer : and if any person shall have in his custody or possession, for the purpose of his trade as a manufacturer of or dealer in arms, any arms, or part thereof, without being so licensed, every such offender shall be liable on conviction thereof to a fine not exceeding twenty pounds. Provided always, that nothing herein contained shall be construed to prevent any person licensed to possess arms under the 3rd section of this Ordinance from mending, repairing, or selling any arms for which he has obtained a license.
- Penalty.** 9. And it is further enacted, that if any headman or officer of police, or any peace officer whomsoever shall fail to inform against any person guilty of possessing or using arms without a license, and whom he shall have good reason to know or to believe to be guilty thereof ; such headman, officer of police, or peace officer shall be guilty of an offence, and be liable on conviction thereof to a fine not exceeding five pounds in respect of every failure to inform against any such person as aforesaid.
- Headmen to give information.** 10. And it is further enacted, that one-half of all the fines actually recovered and realized under the provisions of this Ordinance shall go to our Lady the Queen and the other half to the informer.
- Informer's share of penalty.** 11. And it is further enacted, that whenever any person shall be charged before a competent Court of Justice with possessing or using arms without a licence, the party complaining shall not be required to prove the want of license ; but the proof that such person is licensed shall be upon the accused. Provided, that it shall be lawful for the Court to award costs to the accused against any person who may have made a vexatious complaint ; and such costs shall be recovered in like manner as any fine imposed under the provisions of this Ordinance.
- Proof of license.** 12. And it is further enacted, that no prosecution shall be instituted against any person for any offence committed against any of the provisions of this Ordinance, unless the same shall be commenced within one calendar month from the time of the commission of such offence.
- Limitation of prosecutions.** 13. And it is further enacted, that nothing in this Ordinance contained shall apply to or affect any person serving in Her Majesty's Forces in respect of any arms entrusted to or used by any such person in such capacity.
- Ordinance not to extend to Military and Naval persons.** 14. And it is further enacted, that in the construction of this Ordinance the word " arms " shall be deemed and construed to include every description of fire-arms and air-guns, and every separate gun or pistol-barrel or stock, and no other weapon whatever.
- Construction of terms.** 15. And it is further enacted, that this Ordinance shall commence and take effect from and after the first day of June one thousand eight hundred and forty-eight.
- Ordinance, when to take effect.**

A.

FORM of Application for License to possess and use Arms.

To the Government Agent,
for the Province.

I (here specify the name of the Applicant and his place of residence) do hereby apply for a license to possess and use the following arms.

GUNS.	PISTOLS.	Any other description of Arms, naming them.
<i>A double-barrelled Fowling-piece, by Manton, No. 6749.</i>	<i>A single-barrelled Pistol. No mark.</i>	<i>Two musket-barrels. No mark.</i>

(Date.)

(Signed) A. B.

B.

FORM of License to possess and use Arms.

No. A. B. of was this day licensed to possess and use

(A double-barrelled Fowling-piece, by Manton, No. 6749,
or
A single-barrelled Pistol, marked on the barrel
or as the case may be)

Issued the day of (Signed) Government Agent.

NOTE.—This license will cease to be in force on the day of

C.

Whereas on the day of last a license to keep the arms herein mentioned was granted by to A. B., of And whereas it has been proved to my satisfaction that the said license has been destroyed, defaced, or lost (as the case may be). Now I do hereby grant the said A. B. this certificate to be in lieu of the said license, and of the like force and effect.

Given under my hand at this day of (Signed) Government Agent.

GUNS.	PISTOLS.	Any other description of Arms, naming them.

D.

LICENSE to Make, Repair and Sell Arms.

No. License is hereby granted to A. B. of to use and exercise the trade or calling of a manufacturer of, or dealer in, arms at in the district of Given at the day of

(Signed) Government Agent.

NOTE.—This license will cease to be in force on the day of

Passed in Council the fourteenth day of December, one thousand eight hundred and forty-seven.

G. C. TALBOT, Acting Clerk to the Council.

Published by Order of His Excellency the Governor.

J. EMERSON TENNENT, Colonial Secretary.

(No. 18.)

No. 7.

No. 7.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo, January 15, 1848.
(Received Feb. 28, 1848.)

MY LORD,

I HAVE the honour to forward for your Lordship's sanction, the Ordinance, No. 14, to provide for the supplemental contingent charges of the past year.

The report of the sub-committee enters so fully into explanation of all its important details, that I find it only necessary to remark, that the apparently large sum of 59,116*l.* is not merely designed to cover the extra expenditure of the year beyond the sums voted in the Supply Ordinance for 1847, but it likewise makes provision for the entire service of the month of December, which by recent instructions from your Lordship, in relation to the new system of public accounts, had to be treated as a portion of the last financial year; the new financial year being hereafter to commence on the 1st January, instead of the 1st December as heretofore.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Answered May 13,
1848, No. 214,
page 328.
1.

2.

CEYLON.

Encl. 1 in No. 7.

Enclosure 1 in No. 7.

ORDINANCE enacted by the Governor of Ceylon with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 14.

To apply a sum not exceeding fifty-nine thousand one hundred and sixteen pounds to defray the Supplementary contingent charges of the year 1847.

Preamble.

59,116*l.* to be charged upon the Revenue of this island.

20,679*l.* for the supplementary charges for the civil contingent service of the year, 1847, viz.:

597*l.* for the department of the Colonial Secretary.

267*l.* for the department of the Treasurer and Commissioner of Stamps.

438*l.* for the Colonial Medical Department.

59*l.* for the department of the Superintendent of the Botanic Garden.

21*l.* for the department of the Master Attendant of Colombo.

1*l.* for the department of the Master Attendant of Trincomalie.

5,902*l.* for the departments of the several Government Agents.

1,000*l.* for the Colonial Agent in London.

394*l.* for the department of the Surveyor General for the undermentioned services, viz.:

1*l.* for contingent salaries.

393*l.* for surveying.

5,500*l.* in addition to fixed establishment and stores for the department of the Civil Engineer for public works, provided that the total expenditure shall not exceed 7,834*l.*, viz.:

For new buildings and works.

North-Western Province.

67*l.* for erecting a suite of bed-rooms at the residence of the District Judge at Chilaw.

Southern Province.

550*l.* towards erecting a new lighthouse at Galle.

Central Province.

160*l.* for constructing a new roof to the Pioneer hospital in Kandy.

WHEREAS by an Ordinance No. 13 of 1846, it was enacted that a sum not exceeding one hundred and sixty-eight thousand seven hundred and fifty-six pounds should be charged upon the revenue of this island for the contingent service of the year one thousand eight hundred and forty-seven, and it has become necessary to make further provision for the service of the said year.

1. It is therefore hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that a sum not exceeding fifty-nine thousand one hundred and sixteen pounds shall be, and the same is hereby charged upon the revenue of this island for the services herein after mentioned.

2. And it is further enacted, that out of the said sum of fifty-nine thousand one hundred and sixteen pounds, there shall and may be issued and applied any sum or sums of money not exceeding twenty thousand six hundred and seventy-nine pounds to defray the supplementary charges for the civil contingent service of the year one thousand eight hundred and forty-seven, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding five hundred and ninety-seven pounds to defray the expenses of the department of the Colonial Secretary; and any sum or sums of money not exceeding two hundred and sixty-seven pounds to defray the expenses of the department of the Treasurer and Commissioner of Stamps; and any sum or sums of money not exceeding four hundred and thirty-eight pounds to defray the expenses of the colonial medical department; and any sum or sums of money not exceeding fifty-nine pounds to defray the expenses of the department of the superintendent of the botanic garden; and any sum or sums of money not exceeding twenty-one pounds to defray the expenses of the department of the master attendant of Colombo; and any sum or sums of money not exceeding one pound to defray the expenses of the department of the master attendant of Trincomalie; and any sum or sums of money not exceeding five thousand nine hundred and two pounds to defray the expenses of the departments of the several Government agents; and any sum or sums of money not exceeding one thousand pounds to defray the expenses incurred by the Colonial Agent in London; and any sum or sums of money not exceeding three hundred and ninety-four pounds to defray the expenses of the department of the Surveyor General for the undermentioned services, viz. for contingent salaries one pound, for surveying three hundred and ninety-three pounds; and any sum or sums of money not exceeding five thousand and five hundred pounds in addition to fixed establishment, and stores to defray the expenses of the department of the civil engineer for the undermentioned services and works, provided that the total expenditure, shall not exceed seven thousand eight hundred and thirty-four pounds; viz., for charges brought to account by the Government agents, viz., for new buildings and works: North-Western Province, for erecting a suit of bed-rooms at the residence of the district judge at Chilaw, sixty-seven pounds; Southern Province, towards erecting a new lighthouse at Galle, five hundred and fifty pounds; Central Province, for constructing a new roof to the Pioneer Hospital in Kandy one hundred and sixty pounds, for building and constructing front, &c. walls of

77*l.* for building and constructing front, &c., walls of the Court-house at Nuwera Ellia.
 78*l.* for building a portion of the bund wall in Kandy.
 43*l.* for constructing drains at the official residence of the Colonial Secretary in Kandy.
 For new roads and bridges.

Western Province.

430*l.* towards constructing Laboratory bridge on the glacis road outside the fort of Colombo.
 200*l.* for opening and forming the Badulla approach to the Talata Oya bridge.
 260*l.* for filling in the lower Kandy lake, &c.
 370*l.* for constructing an arched drain in the lower Kandy lake.

For repairs exceeding 200*l.* each.

Western Province.

26*l.* for the ordinary repairs of the bridge of boats at Grand-pass.
 383*l.* for altering and repairing the Queen's house premises in Colombo.
 25*l.* for converting the grain store at Ratnapoora into a dwelling-house for the District Judge.

Central Province.

830*l.* for renewing the present roof of the ball-room of the Pavilion at Kandy, and for putting on a new roof, also for painting the doors and windows, &c., of the whole building, &c.

600*l.* for repairs under 200*l.* each for the whole island.

For incidental repairs of roads, &c., within Towns.

200*l.* Western Province.

120*l.* Central Province.

For carrying on works already sanctioned under former Supply Ordinances.

500*l.* for carrying on works already sanctioned but not specified.

Western Province.

116*l.* for building a rest house at Pallalgamme.

42*l.* for building two boats for the bridge of boats at Grand-pass.

62*l.* for building two cottages with accommodation for four overseers of prisoners at Wellikadde.

639*l.* for building a lunatic asylum at Marendahn.

9*l.* for building a bridge at Mabolle.

45*l.* for building a bridge at Dandoogam.

92*l.* for building a bridge at Morottoowelle.

10*l.* for adding a verandah to the record room of the Colombo Cutcherry.

13*l.* for repairing the boundary wall of the Colombo Cutcherry.

13*l.* for enclosing the rear verandah of the Office of the Deputy Commissary General.

68*l.* for building a retaining wall to the landing place opposite the new grain shed at Colombo.

200*l.* for building a new Gaol at Wellikadde.

North-Western Province.

152*l.* for forming a road from the Salt Pans at Natchically to the neighbouring sea beach.

14*l.* for removing a salt store from Udapancarre to Putlam, &c.

6*l.* for building two bridges at Putlam.

91*l.* for building offices for the Government Agent and his Assistant at Putlam.

177*l.* for raising and repairing the streets within the town of Putlam.

Southern Province.

24*l.* for re-building the landing Jetty at Galle.

600*l.* for the completion of various public works.

Northern Province.

79*l.* for converting two of the ruined buildings in the fort of Jaffna into a residence for the Judges of the Supreme Court when on circuit.

Central Province.

22*l.* for completing the rest house at Matelle.

2*l.* for building a privy outside the Kandy gaol.

187*l.* for repairing and improving Colombo-street, Kandy.

408*l.* for constructing a Commissariat Store-house, &c., at Nuwera-Ellia.

6,500*l.* in addition to fixed establishment and stores for the department of the Commissioner of Roads for public works, provided that the total expenditure shall not exceed 10,219*l.*; viz.

500*l.* for miscellaneous charges.

the court house at Nuwera-Ellia, seventy-seven pounds, for building a portion of the bund wall in Kandy, seventy-five pounds, for constructing drains at the official residence of the Colonial Secretary in Kandy, forty-five pounds. For new roads and bridges: Western Province, towards constructing Laboratory Bridge on the glacis road outside the fort of Colombo, four hundred and thirty pounds, for opening and forming the Badulla approach to the Talata Oya bridge two hundred pounds, for filling in the Lower Kandy Lake &c. two hundred and sixty pounds, for constructing an arched drain in the Lower Kandy lake three hundred and seventy pounds; for repairs exceeding two hundred pounds each: Western Province, for the ordinary repairs of the bridge of boats at Grand-pass twenty-six pounds, for altering and repairing the Queen's House premises in Colombo three hundred and eighty-three pounds, for converting the grain store at Ratnapoora into a dwelling-house for the district judge twenty-five pounds. Central Province, for renewing the present roof of the ball-room of the pavilion at Kandy, and for putting on a new roof, also for painting the doors and windows, &c., of the whole building, &c., eight hundred and thirty pounds; for repairs under two hundred pounds each for the whole island six hundred pounds; for incidental repairs of roads &c. within towns: in the Western Province, two hundred pounds; in the Central Province, one hundred and twenty pounds; for carrying on works already sanctioned under former Supply Ordinances; for carrying on works already sanctioned, but not specified five hundred pounds; Western Province, for building a rest house at Pallalgamme one hundred and fifteen pounds, for building two boats for the bridge of boats at Grand-pass forty-two pounds, for building two cottages with accommodation for four overseers of prisoners at Wellikadde sixty-two pounds, for building a lunatic asylum at Marendahn six hundred and thirty pounds, for building a bridge at Mabolle nine pounds, for building a bridge at Dandoogam forty-five pounds, for building a bridge at Morottoowelle ninety-two pounds, for adding a verandah to the Record-room of the Colombo Cutcherry ten pounds, for repairing the boundary wall of the Colombo Cutcherry thirteen pounds, for enclosing the rear verandah of the office of the Deputy Commissary-General thirteen pounds, for building a retaining wall to the landing place opposite the new grain shed at Colombo sixty pounds, for building a new gaol at Wellikadde two hundred pounds: North-Western Province, for forming a road from the salt pans at Natchically to the neighbouring sea beach fifteen pounds, for removing a salt store from Udapancarre to Putlam, &c., fourteen pounds, for building two bridges at Putlam six pounds, for building offices for the Government agent and his assistant at Putlam ninety-one pounds, for raising and repairing the streets within the town of Putlam one hundred and seventy-seven pounds: Southern Province, for rebuilding the landing jetty at Galle twenty-four pounds, for the completion of various public works six hundred pounds: Northern Province, for converting two of the ruined buildings in the fort of Jaffna into a residence for the judges of the Supreme Court when on circuit seventy-nine pounds: Central Province, for completing the rest house at Matelle twenty-two pounds, for building a privy outside the Kandy gaol two pounds, for repairing and improving Colombo-street, Kandy, one hundred and eighty-seven pounds, for constructing a commissariat store house &c. at Nuwera-Ellia four hundred and eight pounds.

And any sum or sums of money not exceeding six thousand and five hundred pounds in addition to fixed establishment and stores to defray the expenses of the department of the Commissioner of Roads for the under-mentioned services and works, provided that the total expenditure shall not exceed ten thousand two hundred and nineteen pounds; viz. for miscellaneous charges five

CEYLON.

For charges brought to account by the Government Agents, viz. :
For the ordinary and necessary repairs, viz. :

2,000*l.* road from Colombo to Kandy.

281*l.* road from Kandy to Nuwera-Ellia.

For the continuation of roads already begun, viz. :

3,152*l.* road from Yattiantotte to Gampola.

1,100*l.* for unexpended balances on Estimates for works sanctioned by Supply Ordinances of previous years.

3,186*l.* for the repair of the Peradenia bridge.

6,496*l.* for the Supplementary charges for the Revenue contingent service of the year 1847, viz.

4,439*l.* for the departments of the several Government Agents.

1,567*l.* for the department of the Customs.

490*l.* for the department of the Postmaster-General.

3,706*l.* for the Supplementary charges for the Judicial contingent service of the year 1847, viz.

7*l.* for the department of the Queen's Advocate.

27*l.* for the department of the Register of the Supreme Court.

205*l.* for the departments of the several District Judges, Commissioners of the Courts of Requests and Police Magistrates.

2,853*l.* for the departments of the several Fiscals.

431*l.* for the department of the Superintendent of Police of Colombo.

180*l.* for the department of the Superintendent of Police of Kandy.

3*l.* for the department of the Commissioner of the Loan Board.

3577*l.* for the supplementary charges for the military contingent service of the year 1847, viz. :

108*l.* for the general and garrison staff.

102*l.* for regimental expenses.

153*l.* for military pensions.

hundred pounds; for charges brought to account by the Government agents, viz. for the ordinary and necessary repairs, including unexpended balances of unfinished estimates of previous years, viz. road from Colombo to Kandy two thousand pounds, road from Kandy to Nuwera-Ellia two hundred and eighty-one pounds; for the continuation of roads already begun, including unexpended balances of unfinished estimates of previous years, viz. road from Yattiantotte to Gampola three thousand one hundred and fifty-two pounds; for unexpended balances on estimates for works sanctioned by Supply Ordinances of previous years one thousand and one hundred pounds; and for the repair of the Peradenia Bridge three thousand one hundred and eighty-six pounds.

3. And it is further enacted, that out of the said sum of fifty-nine thousand one hundred and sixteen pounds, there shall and may be issued and applied any sum or sums of money not exceeding six thousand four hundred and ninety-six pounds to defray the supplementary charges for the revenue contingent service of the year One thousand eight hundred and forty-seven as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding four thousand four hundred and thirty-nine pounds to defray the expenses of the departments of the several Government agents; and any sum or sums of money not exceeding one thousand five hundred and sixty-seven pounds to defray the expenses of the department of the Customs; and any sum or sums of money not exceeding four hundred and ninety pounds to defray the expenses of the department of the Postmaster-General.

4. And it is further enacted, that out of the said sum of fifty-nine thousand one hundred and sixteen pounds, there shall and may be issued and applied any sum or sums of money not exceeding three thousand seven hundred and six pounds to defray the supplementary charges for the judicial contingent service of the year One thousand eight hundred and forty-seven as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding seven pounds to defray the expenses of the department of the Queen's Advocate; and any sum or sums of money not exceeding twenty-seven pounds to defray the expenses of the department of the Registrar of the Supreme Court; and any sum or sums of money not exceeding two hundred and five pounds to defray the expenses of the departments of the several district judges, Commissioners of the Courts of Requests and police magistrates; and any sum or sums of money not exceeding two thousand eight hundred and fifty-three pounds to defray the expenses of the departments of the several Fiscals; and any sum or sums of money not exceeding four hundred and thirty-one pounds to defray the expenses of the department of the Superintendent of Police of Colombo; and any sum or sums of money not exceeding one hundred and eighty pounds to defray the expenses of the department of the Superintendent of Police of Kandy; and any sum or sums of money not exceeding three pounds to defray the expenses of the department of the Commissioner of the Loan Board.

5. And it is further enacted, that out of the said sum of fifty-nine thousand one hundred and sixteen pounds, there shall and may be issued and applied any sum or sums of money not exceeding three thousand three hundred and seventy-seven pounds to defray the supplementary charges for the military contingent service of the year one thousand eight hundred and forty-seven as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding one hundred and eight pounds to defray the expenses of the general and garrison staff; and any sum or sums of money not exceeding one hundred and two pounds to defray regimental expenses; and any sum or sums of money not exceeding one hun-

For charges brought to account by the Deputy Commissary-General.
16l. for the Royal Engineer department.

2900l. for the Barrack department.

98l. for the Royal Engineer and Barrack departments for military services and works, viz.:

77l. for general service including small repairs to barracks, &c. for the western, southern, eastern, and central provinces.
21l. for defraying the rent of Regimental Mess Houses.

24,858l. for the supplementary charges for the Commissariat contingent service of the year 1847, viz.:

22,858l. for the department of the Deputy Commissary-General.

2000l. for the Colonial Agent in London.

Treasurer to pay the above at such times as the Governor by warrant shall order.

And to receive credit in his accounts for the payments made in pursuance thereof.

dred and fifty-three pounds to defray military pensions; and for charges brought to account by the Deputy Commissary-General, any sum or sums of money not exceeding sixteen pounds to defray the expenses of the royal engineer department; and any sum or sums of money not exceeding two thousand and nine hundred pounds to defray the expenses of the barrack department; and any sum or sums of money not exceeding ninety-eight pounds to defray the expenses of the royal engineer and barrack departments for the undermentioned military services and works, viz., for general service, including small repairs to barracks, &c. for the western, southern, eastern, and central provinces, seventy-seven pounds, for defraying the rent of regimental mess houses twenty-one pounds.

6. And it is further enacted, that out of the said sum of fifty-nine thousand one hundred and sixteen pounds, there shall and may be issued and applied any sum or sums of money not exceeding twenty-four thousand eight hundred and fifty-eight pounds to defray the supplementary charges for the Commissariat contingent service of the year one thousand eight hundred and forty-seven, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding twenty-two thousand eight hundred and fifty-eight pounds to defray the expenses of the department of the Deputy Commissary-General; and any sum or sums of money not exceeding two thousand pounds to defray the expenses incurred by the colonial agent in London.

7. And it is further enacted, that the treasurer of this island shall issue and pay the said several sums to such persons for the purposes hereinbefore mentioned, upon such days and in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him, shall from time to time order and direct; and that the payments so to be made shall be charged upon and payable out of the revenues of the said island.

8. And it is further enacted, that the said treasurer shall, in his accounts from time to time, be allowed credit for any sum or sums of money paid by him in pursuance of such warrant or order in writing as aforesaid; and that the receipt or receipts of the respective persons to whom the same shall be so paid shall be a full and valid discharge to the said treasurer in passing his said accounts, for any such sum or sums as shall be therein mentioned; and that he shall and do receive credit for the same accordingly.

Passed in Council the Thirtieth day of December, One thousand eight hundred and forty-seven.

G. C. TALBOT,
Acting Clerk to the Council.

Published by order of his Excellency the Governor.

J. EMERSON TENNENT,
Colonial Secretary.

I.—SUPPLEMENTARY ESTIMATE of the probable Expenses for the undermentioned Services, forming a Charge on the Treasury of Ceylon, for the Year 1847.

CIVIL CONTINGENT CHARGES.

An Estimate of the sums which may be required to meet Civil Contingent Charges of the following departments:—

	Colonial Secretary.	£	
Salaries, Contingent	.	150	
Printing Office	.	150	
Miscellaneous.	.	297	
		—	597
	Treasurer and Commissioner of Stamps.		
Salaries, Contingent.	.	3	
Conveyance of Treasure	.	80	
Miscellaneous.	.	184	
		—	267

CEYLON.

<i>Colonial Medical Department.</i>										£.	
Salaries, Contingent	.	.	.	.	.	.	.	.	.	293	
Leper Hospital	.	.	.	.	.	.	.	.	.	70	
Pettah Hospital	.	.	.	.	.	.	.	.	.	50	
Miscellaneous	.	.	.	.	.	.	.	.	.	25	
											438
<i>Superintendent of the Botanic Garden.</i>											
Salaries, Contingent	.	.	.	.	.	.	.	.	.	38	
Miscellaneous	.	.	.	.	.	.	.	.	.	21	
											59
<i>Master Attendant of Colombo.</i>											
Salaries, Contingent	.	.	.	.	.	.	.	.	.	5	
Miscellaneous	.	.	.	.	.	.	.	.	.	16	
											21
<i>Master Attendant of Trincomalee.</i>											
Miscellaneous	.	.	.	.	.	.	.	.	.		1
<i>Government Agents.</i>											
Salaries, Contingent	.	.	.	.	.	.	.	.	.	851	
Pensions and Allowances	.	.	.	.	.	.	.	.	.	293	
Charitable Allowances, and in aid of Friend in Need Societies	.	.	.	.	.	.	.	.	.	551	
Medical Charges	.	.	.	.	.	.	.	.	.	1,348	
For Surveying Crown Lands	.	.	.	.	.	.	.	.	.	188	
For Ferry Boats	.	.	.	.	.	.	.	.	.	13	
Queen's House Gardens at Colombo	.	.	.	.	.	.	.	.	.	50	
Costs of Government Suits	.	.	.	.	.	.	.	.	.	88	
Miscellaneous	.	.	.	.	.	.	.	.	.	2,520	
											5,902
<i>Colonial Agent in London.</i>											
Miscellaneous	.	.	.	.	.	.	.	.	.		1,000
<i>Surveyor General.</i>											
Salaries, Contingent	.	.	.	.	.	.	.	.	.	1	
Surveying	.	.	.	.	.	.	.	.	.	393	
											394
<i>Civil Engineer.</i>											
An Estimate of the sums which may be required towards the execution of the under-mentioned services and works, in addition to Fixed Establishment and Stores											5,500
CHARGES brought to account by the GOVERNMENT AGENTS.											
For new Buildings and Works:—											
<i>North-Western Province.</i>											
For erecting a suite of bed rooms at the residence of the District Judge at Chilaw										67	
<i>Southern Province.</i>											
Towards erecting a new Light House at Galle										550	
<i>Central Province.</i>											
Constructing a new roof to the Pioneer Hospital in Kandy										160	
Building and constructing front, &c., walls of the Court House at Nuwera-Ellia										77	
Building a portion of the Bund Wall in Kandy										75	
Constructing drains at the official residence of the Colonial Secretary in Kandy										45	
											357
											974
NEW ROADS AND BRIDGES.											
<i>Western Province.</i>											
Towards constructing Laboratory Bridge on the Glacis Road outside the Fort of Colombo										490	
<i>Central Province.</i>											
For opening and forming the Badulla approach to the Talatoo Oya Bridge										200	
For filling in the Lower Kandy Lake, &c.										260	
For constructing an arched drain in ditto										370	
											1,260
For REPAIRS exceeding £200 each.											
<i>Western Province.</i>											
For the ordinary repairs of the Bridge of Boats at Grand Pass										26	
For altering and repairing the Queen's House premises in Colombo										383	
Converting the Grain Store at Ratnapoora into a dwelling house for the District Judge										25	
											434

AFFAIRS OF CEYLON.

49

CEYLON.

	£.	£.	
<i>Central Province.</i>			
For renewing the present roof of the Ball-room of the Pavilion of Kandy and for putting on a new roof, also for painting the doors and windows, &c., of the whole building, &c.	830		
For repairs under £200 each, for the whole Island		1,264	
		600	
<i>For Incidental REPAIRS of ROADS, &c., within Towns.</i>			
Western Province	200		
Central Province	120		
		320	
<i>For carrying on WORKS already sanctioned under former Supply Ordinances.</i>			
For carrying on works already sanctioned, but not specified.		500	
<i>Western Province.</i>			
For building a Rest House at Pallegodde	115		
For building two Boats for the Bridge of Boats at Grand-Pass	42		
For building two Cottages with accommodation for four overseers of Prisoners at Wellikadde	62		
For building a Lunatic Asylum at Marendahn	630		
For building a Bridge at Mabolle	9		
,, at Dandogam	45		
,, at Morotowelle	92		
For adding a Verandah to the Record Room of the Colombo Cutcherry	10		
For repairing the Boundary Wall of ditto	13		
For enclosing the rear Verandah of the Office of the Deputy Commissary General.	13		
For building a retaining wall, to the Landing-place opposite the new grain shed at Colombo	60		
For building a New Gaol at Wellikadde	200		
		1,291	
<i>North-Western Province.</i>			
For forming a road from the Salt pans at Natchically to the neighbouring sea-beach	15		
For removing a Salt Store from Udapancare to Putlam, &c.	14		
For building two Bridges at Putlam	6		
For building Offices for the Government Agent and his Assistant at Putlam	91		
For raising and repairing the streets within the town of Putlam	177		
		303	
<i>Southern Province.</i>			
For rebuilding the landing Jetty at Galle	24		
For the completion of various Public Works	600		
		624	
<i>Northern Province.</i>			
For converting two of the ruined buildings in the Fort of Jaffna into a Residence for the Judges of the Supreme Court when on circuit		79	
<i>Central Province.</i>			
For completing the Rest House at Matelle	22		
For building a Privy outside the Kandy Gaol	2		
For repairing and improving Colombo-street, Kandy	187		
For constructing a Commissariat Store House, &c., at Nuwera-Ellia	408		
		619	
Provided that the Total Expenditure of the Civil Engineer's Department, inclusive of Fixed Establishment, Stores, and all other charges shall not exceed	7,834		
<i>Commissioner of Roads.</i>			
An Estimate of the sums which may be required towards the execution of the undermentioned services and works, in addition to Fixed Establishment and Stores		6,500	
Miscellaneous	500		

CHARGES brought to Account by the GOVERNMENT AGENTS.

ROADS.

Ordinary and Necessary Repairs.

Including unexpended balances of unfinished estimates of previous years.	Colombo to Kandy	2,000	
	Kandy to Nuwera-Ellia	281	
		2,281	
<i>Continuation of ROADS already begun in former years.</i>			
	Yattiantotte to Gampolle	3,152	
Unexpended Balances on Estimates for works sanctioned by Supply Ordinances of previous years		1,100	
For the repairs of the Peradenia Bridge		3,186	
Provided that the Total Expenditure of the Commissioner of Roads' Department, inclusive of Fixed Establishment, Stores, and all other charges, shall not exceed		10,219	
Total Civil Contingent Charges		£ 20,679	

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CEYLON.**II.—SUPPLEMENTARY ESTIMATE of the Probable Expenses for the undermentioned Services, forming a Charge on the Treasury of Ceylon, for the Year 1847.****REVENUE CONTINGENT CHARGES.**

An Estimate of the sums which may be required to meet Revenue Contingent Charges of the following Departments:—

<i>Government Agents.</i>		£.
Salaries, Contingent.	.	1,603
Pensions and Allowances.	.	94
For the collection of the Grain Revenue	.	200
„ Collection of the Arrack Revenue	.	178
„ Salt Revenue and the Manufacture of Salt	.	422
„ Cinnamon, and Surveys of Cinnamon Gardens	.	156
„ Assessment Tax	.	369
For the inspection, &c., of the Pearl Banks	.	305
Costs of Government Suits	.	117
Commission on the sale of Revenue Stamps	.	3
Miscellaneous	.	992
		4,439
<i>Customs.</i>		
Salaries, Contingent	.	331
For the construction, &c., of Grain-sheds, Watch-huts, &c.	.	392
Miscellaneous	.	844
		1,567
<i>Postmaster General.</i>		
Salaries, Contingent	.	51
Kandy Mail Coach	.	11
Matura Mail Coach	.	9
Kurnegalle to Ambepusse Mail Contractors	.	5
For the construction, &c., of Tappal-huts, &c.	.	8
Miscellaneous	.	406
		490
Total Revenue Contingent Charges		£ 6,496

III.—SUPPLEMENTARY ESTIMATE of the probable Expenses for the undermentioned Services, forming a Charge on the Treasury of Ceylon, for the Year 1847.**JUDICIAL CONTINGENT CHARGES.**

An Estimate of the sums which may be required to meet Judicial Contingent Charges of the following Departments:—

<i>Queen's Advocate.</i>		£.
Miscellaneous	.	7
<i>Registrar of the Supreme Court.</i>		£.
Salaries {Supplementary	.	4
{Contingent	.	21
Miscellaneous	.	2
		27
<i>District Judges, Commissioners of the Courts of Requests, and Police Magistrates.</i>		
Salaries, Contingent	.	110
Commission on the sale of Judicial Stamps	.	28
Miscellaneous	.	67
		205
<i>Fiscals.</i>		
Salaries, Contingent	.	79
Batta to Prisoners, and other Prison charges	.	1,784
Batta and travelling expenses of Witnesses before the Supreme Court	.	110
Miscellaneous	.	880
		2,853
<i>Superintendent of Police of Colombo.</i>		
Salaries {Supplementary	.	44
{Contingent	.	47
Sweeping and keeping clean the streets in the Fort of Colombo	.	7
Rent of the Police Office	.	4
„ Station-houses	.	4
Miscellaneous	.	325
		431
<i>Superintendent of Police of Kandy.</i>		
Salaries, Contingent {For the Town Police	.	56
{For the Rural Police	.	98
Miscellaneous	.	26
		180
<i>Commissioner of the Loan Board.</i>		
Salaries, Contingent	.	3
Total Judicial Contingent Charges		£ 3,706

IV.—SUPPLEMENTARY ESTIMATE of the probable Expenses for the undermentioned Services, forming a Charge on the Treasury of Ceylon, for the Year 1847.

MILITARY CONTINGENT CHARGES.

An Estimate of the sums which may be required to meet Military Contingent charges:—£.

General and Garrison Staff	108
Regimental	102
Military Pensioners {Paid in Ceylon	142
{Paid by the Governments and Colonial Agents in India.	11

CHARGES brought to Account by the Commissariat.

Engineer Department	16
Barrack Department	2,900
	<u>3,279</u>

FOR MILITARY WORKS.

Engineer and Barrack Departments.

An Estimate of the sums which may be required towards the execution of the undermentioned Services and Works:—

General service, including small repairs to Barracks, &c., for the Western, Southern, Eastern, and Central Provinces	77
For defraying the Rent of Regimental Mess-house	21
	<u>98</u>
Total Military Contingent Charges	<u>£ 3,377</u>

V.—SUPPLEMENTARY ESTIMATE of the probable Expenses for the undermentioned Services, forming a Charge on the Treasury of Ceylon, for the Year 1847.

COMMISSARIAT CONTINGENT CHARGES.

An Estimate of the sums which may be required to meet Commissariat Contingent charges:—

Deputy Commissary-General. £.

Salaries, Contingent	17
Provision Department	10,343
Brick and Lime Establishments at Bogambra	150
Brick Establishment at Pannebakkerly	50
For General Service sawing	50
Building Materials	6,993
Stores	1,750
Miscellaneous.	3,505
	<u>22,858</u>

Colonial Agent in London.

Stores	2,000
Total Commissariat Contingent charges	<u>£ 24,858</u>

Recapitulation. £.

Civil Contingent charges	20,679
Revenue ditto	6,496
Judicial ditto	3,706
Military ditto	3,377
Commissariat ditto	24,858
Total	<u>£ 59,116</u>

Enclosure 2 in No. 7.

Encl. 2 in No. 7.

REPORT of a SUB-COMMITTEE of the LEGISLATIVE COUNCIL appointed to report upon the Ordinance "To apply a sum not exceeding Sixty thousand six hundred and eight pounds to defray the Supplementary Contingent Charges of the year 1847."

Extract from the Minutes of the Legislative Council held at the Council Room at Colombo, on Thursday, the 16th day of December, 1847.

THE Colonial Secretary moves that the following gentlemen be appointed a Sub-Committee to report upon the Bill "To apply a sum not exceeding Sixty thousand six hundred and eight pounds to defray the Supplementary Contingent Charges of the year 1847."

The Honourable Sir J. Emerson Tennent, K., C.S., Colonial Secretary.

The Honourable C. J. MacCarthy, Esq., Auditor General.

The Honourable P. E. Wodehouse, Esq., Acting Treasurer.

W. C. Gibson, Esq., Acting Government Agent for the Western Province.

F. Saunders, Esq., Collector of Customs for the Western Province.

G. Crabbe, Esq., and J. Armitage, Esq., Unofficial Members.

Seconded by the Acting Queen's Advocate.

Resolved accordingly.

REPORT.

The Sub-Committee to whom the Supplementary Supply Ordinance for 1847 has been referred, in making their report to the Committee of the Legislative Council, beg to notice in the first place that, of the sum appropriated a very considerable proportion has been assigned, not for supplemental or extraordinary charges, but for the current and usual expenditure of the month of December in the present year, which by recent instructions from the Secretary of State is to be provided for as a portion of 1847; a new system of accounts being about to be introduced on the 1st January, which will henceforth be the commencement of the financial year, instead of the 1st December as heretofore.

CIVIL AND REVENUE CHARGES OF GOVERNMENT AGENTS.

The first items of which it is necessary to offer an explanation are the sums of 5902*l.* for the civil, and 4289*l.* for the revenue charges of the several Government agencies. The latter amount is principally for the ordinary service of the month of December, but the civil charges include, in addition, a similar provision under the head of 1126*l.* for medical expenditure in the western province alone, and 476*l.* for charitable allowances; the latter sum is not occasioned by any increased issues under this head, but in consequence of the inadequacy of the sum originally voted for each of these purposes in the Supply Ordinance for the year; but even including this increase, the charitable expenditure of the last 13 months does not exceed that of the preceding 12 of 1845-6. Amongst the civil charges is also included the salary and expenses of Dr. Gygax, who is now engaged in a geological survey of the Saffragam district, and a sum of 230*l.* for the recent inspection of the pearl banks.

CIVIL ENGINEER.

New Light House at Galle.

In the new works to be provided for under the superintendence of the civil engineer, is the erection of an iron lighthouse at Galle, and the sum of 550*l.* under this head has been expended on the salary and other charges of Mr. Walker, the officer sent out from England in charge of the work, and for wages and labour up to the end of the present year.

New Bridge at the Glacis—Colombo.

£430 has been set apart towards the expense of this work, which is estimated to cost 704*l.* 19*s.* 3*d.* The former bridge was a mere wooden structure, reported dangerous in the month of September last, and as it connects an important thoroughfare it is proposed to replace it by a permanent work of masonry with iron girders, the construction of which is now in progress.

Bridge over the Talata-Oya.

After the many votes in previous Supply Ordinances, the Sub-Committee cannot withhold the expression of their surprise at finding this apparently endless structure again brought under the notice of the Council, accompanied by an application for a further sum for the completion of the approaches. The 200*l.* now required has been rendered necessary it appears in order to finish the approach at one end of the bridge, although an estimate for the completion of both had been sanctioned in September 1845. The latter sum it seems fell short of the object, and the present amount, it is to be hoped, will be the last called for, for this structure, as the bridge is open and a toll has been established.

The Kandy Lake.

The Sub-Committee cheerfully agree to the expenditure of the amount asked, 260*l.*, as part of the cost of filling in this dangerous swamp, and of 370*l.* for the construction of proper drainage in connexion with it. And they the more readily recommend it to the notice of the Committee and Council, as the sale of the building ground thus reclaimed is likely to reimburse the Government for the present outlay.

Repairs of the Governor's Residences.

The sums of 383*l.* and 830*l.* have been applied respectively to the urgent and indispensable repair of the Queen's House at Colombo and the Pavilion at Kandy. In both instances, the decay of the buildings rendered the expenditure inevitable, and at Kandy, especially, the late Governor, Sir Colin Campbell, authorized the latter outlay, on a representation that the entire roof of the right wing of the building, including the Governor's Public Office, and the ball room was in such a state of decay and dilapidation as to be unsafe, the timbers being destroyed by dry rot.

It is to be feared that still further repairs of the same kind will speedily be required from the same cause; and in the instance of the Queen's House at Colombo it may be a serious question whether an entirely new erection, so soon as the finances of the colony admit of its construction, may not be a more prudent expenditure than any outlay on mere restoration and repairs.

Lunatic Asylum—Colombo.

The vote asked, 630*l.*, has been expended on the buildings at Marandahn, which were opened on the 1st September last for the reception of patients.

COMMISSIONER OF ROADS' DEPARTMENT.

CEYLON.

£3152 for the continuation of the road between Gampola and Yattiantotte. A full statement of the progress of the works on this road will be found in the forthcoming reports of the Sub-Committee on the Supply Ordinance for the year 1848, now on the table of the Council.

Peradenia Bridge.

The sum now asked for, 3186*l.*, however large it may seem, has been absorbed in the renovation of the timbers and other operations for repairing and strengthening this most important bridge. And to render it still more secure Colonel Fraser, the officer under whose superintendence the work was originally built and the latest repairs effected, has recommended that a further expense should be incurred for piercing the approach on the Kandy side by dry arches in order to relieve the bridge and embankment from the formidable pressure of the water during the periodical inundations of the Mahavilleganga. This, however, is an undertaking of such costliness, that, however desirable, we fear it must for the present be postponed. The Committee hope that the estimates and plans for this work will be very carefully considered.

CUSTOMS.

The additional vote to the customs includes 402*l.* for the cost of cranes set up at the wharf at Colombo, at the request of the Chamber of Commerce.

POST OFFICE.

The sum of 490*l.* asked for this department is chiefly to cover its current expenditure during the month of December.

THE FISCALS.

The vote of 2853*l.* for the Fiscals' department is chiefly to cover the expenses of witnesses and the sustenance of prisoners in the several gaols during December, 1847.

MILITARY EXPENDITURE.

Under the head of "Barrack Department" will be found a sum of 2900*l.*, which, in addition to the charges for the extra month of December is to defray an unusual expenditure for barrack furniture and other incidental services, rendered necessary by the arrival of Her Majesty's 37th regiment in March last, before the arrangements had been completed for the departure for Hong Kong of the 95th regiment, whom they were to relieve. The unusual presence of two regiments instead of one in Colombo, and the necessity of providing the extra quantity of bedding, furniture, and other barrack requisites, as well as the increased cost of several articles, accounts for the extra vote now sought.

COMMISSARIAT.

A supplemental vote is also asked for this department, amounting to 22,858*l.* But of this a large proportion is for provisions as well for the ordinary as the extra number of troops, the value of which is, of course, recovered and carried to account elsewhere. It is right to call the attention of the Council to the fact that under this head the outlay is greatly increased by the rise in the value of oil from 1*s.* 4*d.* to 2*s.* 4*d.* per gallon, and likewise by the high cost of fuel and other requisites. One large item is to defray the amount of contracts for building materials, lime, and timber, entered into in the previous year but only delivered and completed in 1847.

With these remarks the Sub-Committee beg to recommend the Ordinance as amended to the favourable consideration of the Committee and the adoption of the Council.

J. EMERSON TENNENT,
C. J. MACCARTHY,
P. E. WODEHOUSE,
W. C. GIBSON,
F. SAUNDERS,
G. CRABBE,
J. ARMITAGE.

(No. 34.)

No. 8.

No. 8.

COPY of A DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Pavilion, Kandy, February 4, 1848.
(Received March 31, 1848.)

MY LORD,

I HAVE now to forward, for your Lordship's approval and Her Majesty's confirmation, the Supply Ordinance for the year 1848.

It has been framed, as your Lordship will perceive, in the new form required by the new system of public accounts, which came into operation in Ceylon on the 1st of the present month. And as the former system, which has happily been superseded, was so complex as to have been pronounced absolutely unintelligible by the non-official members of the Legislative Council in 1846, I

Answered July 19,
1848, No. 258, page
338.
No. 15 of 1847.
1.

CEYLON.

2.

have satisfaction in directing your Lordship's attention to that passage at the close of the sub-committee's report on this Ordinance, in which they "express their opinion in favour of the greatly improved form into which the expenditure for the coming year has been digested in the Ordinance now under consideration, which they think will be found much more lucid and satisfactory than the shape in which the votes in Supply Ordinances have hitherto been brought before the Legislative Council."

The report in the present Ordinance has been prepared with so much more than ordinary care and particularity, that it leaves me nothing requiring your Lordship's special attention, on which it does not present an explanation.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c.

(Signed) TORRINGTON.

Encl. 1 in No. 8.

Enclosure 1 in No. 8.

ORDINANCE enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 15.

To apply a sum not exceeding one hundred and ninety-seven thousand nine hundred and fifty pounds to the contingent service of the year 1848.

Preamble.

197,950*l.* to be charged upon the Revenue of this island, for the Contingent Service of the year 1848.

There shall and may be issued and applied 41,568*l.* for the provisional and temporary Salaries, Allowances, and Office Contingencies of the several departments, viz.:

44*l.* for the department of the Governor.

1,747*l.* for the department of the Colonial Secretary.

7,124*l.* for the department of the Treasurer.

250*l.* for the department of the Auditor and Accountant-General and Comptroller of Revenue.

4,981*l.* for the Colonial Medical department.

1,538*l.* for the department of the Surveyor-General.

665*l.* for the department of the Superintendent of the Botanic Garden.

38*l.* for the department of the Commissioner of the Loan Board.

260*l.* for the department of the Master Attendant of Colombo.

38*l.* for the department of the Master Attendant of Galle.

15*l.* for the department of the Master Attendant of Trincomalie.

65*l.* for the Ecclesiastical department

WHEREAS the contingent expenditure required for the service of the Government of this island for the year One thousand eight hundred and forty-eight, and not specially sanctioned by Her Majesty's Government, has been estimated at the sum of one hundred and ninety-seven thousand nine hundred and fifty pounds.

1. It is therefore hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that a sum not exceeding one hundred and ninety-seven thousand nine hundred and fifty pounds shall be and the same is hereby charged upon the Revenue of this island for the contingent service of the year One thousand eight hundred and forty-eight.

2. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding forty-one thousand five hundred and sixty-eight pounds to defray the charges for the provisional and temporary salaries, allowances, and office contingencies of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding forty-four pounds for the department of the Governor; and any sum or sums of money not exceeding one thousand seven hundred and forty-seven pounds for the department of the Colonial Secretary; and any sum or sums of money not exceeding seven thousand one hundred and twenty-four pounds for the department of the Treasury; and any sum or sums of money not exceeding two hundred and fifty pounds for the department of the Auditor and Accountant-General and Comptroller of Revenue; and any sum or sums of money not exceeding four thousand nine hundred and eighty-one pounds for the Colonial Medical department; and any sum or sums of money not exceeding one thousand five hundred and thirty-eight pounds for the department of the Surveyor-General; and any sum or sums of money not exceeding six hundred and sixty-five pounds for the department of the Superintendent of the Botanic Garden; and any sum or sums of money not exceeding thirty-eight pounds for the department of the Commissioner of the Loan Board; and any sum or sums of money not exceeding two hundred and sixty pounds for the department of the Master Attendant of Colombo; and any sum or sums of money not exceeding thirty-three pounds for the department of the Master Attendant of Galle; and any sum or sums of money not exceeding fifteen pounds for the department of the Master Attendant of Trincomalie; and any sum or sums of money not exceeding sixty-five pounds for the Ecclesiastical

5,437*l.* for the department of the Government Agent for the Western Province.

1,917*l.* for the department of the Government Agent for the North-Western Province.

1,729*l.* for the department of the Government Agent for the Southern Province.

385*l.* for the department of the Government Agent for the Eastern Province.

334*l.* for the department of the Government Agent for the Northern Province.

1,891*l.* for the department of the Government Agent for the Central Province.

1,088*l.* for the department of the Customs in the Western Province.

296*l.* for the department of the Customs in the Southern Province.

371*l.* for the department of the Customs in the Eastern Province.

267*l.* for the department of the Customs in the Northern Province.

1,617*l.* for the department of the Postmaster-General.

56*l.* for the department of the Queen's Advocate.

128*l.* for the department of the Registrar of the Supreme Court.

2,108*l.* for the departments of the several District Judges, Commissioners of the Courts of Requests, and Police Magistrates.

374*l.* for the department of the Fiscal for the Western Province.

423*l.* for the department of the Fiscal for the North-Western Province.

261*l.* for the department of the Fiscal for the Southern Province.

96*l.* for the department of the Fiscal for the Eastern Province.

186*l.* for the department of the Fiscal for the Northern Province.

492*l.* for the department of the Fiscal for the Central Province.

1,604*l.* for the department of the Police of Colombo.

2,048*l.* for the department of the Police of Kandy.

1,321*l.* for the Regiments serving in Ceylon.

1,823*l.* for the General and Garrison Staff.

123*l.* for the department of the Deputy-Commissary-General.

There shall and may be issued and applied 4,237*l.* for Pensions and Retired Allowances of the several departments, viz. :

940*l.* for the department of the Treasurer.

tical department; and any sum or sums of money not exceeding five thousand four hundred and thirty-seven pounds for the department of the Government Agent for the Western Province; and any sum or sums of money not exceeding one thousand and seventeen pounds for the department of the Government Agent for the North-Western Province; and any sum or sums of money not exceeding one thousand seven hundred and twenty-nine pounds for the department of the Government Agent for the Southern Province; and any sum or sums of money not exceeding three hundred and sixty-six pounds for the department of the Government Agent for the Eastern Province; and any sum or sums of money not exceeding three hundred and thirty-four pounds for the department of the Government Agent for the Northern Province; and any sum or sums of money not exceeding one thousand eight hundred and ninety-one pounds for the department of the Government Agent for the Central Province; and any sum or sums of money not exceeding one thousand and eighty-eight pounds for the department of the Customs in the Western Province; and any sum or sums of money not exceeding two hundred and ninety-six pounds for the department of the Customs in the Southern Province; and any sum or sums of money not exceeding thirty-seven pounds for the department of the Customs in the Eastern Province; and any sum or sums of money not exceeding two hundred and sixty-seven pounds for the department of the Customs in the Northern Province; and any sum or sums of money not exceeding one thousand six hundred and seventeen pounds for the department of the Postmaster-General; and any sum or sums of money not exceeding fifty-six pounds for the department of the Queen's Advocate; and any sum or sums of money not exceeding one hundred and twenty-eight pounds for the department of the Registrar of the Supreme Court; and any sum or sums of money not exceeding two thousand one hundred and eight pounds for the departments of the several District Judges, Commissioners of the Courts of Requests, and Police Magistrates; and any sum or sums of money not exceeding three hundred and seventy-four pounds for the department of the Fiscal for the Western Province; and any sum or sums of money not exceeding four hundred and twenty-three pounds for the department of the Fiscal for the North-Western Province; and any sum or sums of money not exceeding twenty-six pounds for the department of the Fiscal for the Southern Province; and any sum or sums of money not exceeding ninety-six pounds for the department of the Fiscal for the Eastern Province; and any sum or sums of money not exceeding one hundred and eighty-six pounds for the department of the Fiscal for the Northern Province; and any sum or sums of money not exceeding four hundred and two pounds for the department of the Fiscal for the Central Province; and any sum or sums of money not exceeding one thousand six hundred and four pounds for the department of the Police of Colombo; and any sum or sums of money not exceeding two thousand and forty-eight pounds for the department of the Police of Kandy; and any sum or sums of money not exceeding one thousand three hundred and thirty-two pounds for the regiments serving in Ceylon; and any sum or sums of money not exceeding one thousand eight hundred and twenty-three pounds for the General and Garrison Staff; and any sum or sums of money not exceeding one hundred and twenty-three pounds for the department of the Deputy-Commissary-General.

3. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding four thousand two hundred and thirty-seven pounds to defray the charges for Pensions and Retired Allowances of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding nine hundred and forty pounds for the department of the

CEYLON.

1,249*l.* for the department of the Government Agent for the Western Province.

275*l.* for the department of the Government Agent for the North-Western Province.

236*l.* for the department of the Government Agent for the Southern Province.

160*l.* for the department of the Government Agent for the Eastern Province.

25*l.* for the department of the Government Agent for the Northern Province.

1,222*l.* for the department of the Government Agent for the Central Province.

130*l.* for the Colonial Agents in India."

There shall and may be issued and applied 11,541*l.* for the Revenue Services of the several departments, viz. :

220*l.* for the department of the Treasurer.

2,116*l.* for the department of the Government Agent for the Western Province.

2,396*l.* for the department of the Government Agent for the North-Western Province.

2,390*l.* for the department of the Government Agent for the Southern Province.

648*l.* for the department of the Government Agent for the Eastern Province.

2,370*l.* for the department of the Government Agent for the Northern Province.

1,401*l.* for the department of the Government Agent for the Central Province.

There shall and may be issued and applied 3,860*l.* for the Administration of Justice of the several departments, viz. :

2,250*l.* for the department of the Registrar of the Supreme Court.

422*l.* for the departments of the several District Judges, Commissioners of the Courts of Requests and Police Magistrates.

1,188*l.* for the departments of the several Fiscals.

There shall and may be issued and applied 900*l.* to defray the Ecclesiastical charges of the department of the Treasurer.

There shall and may be issued and applied 3,915*l.* for Charitable Allowances of the several departments, viz. :

2,323*l.* for the department of the Government Agent for the Western Province.

80*l.* for the department of the Government Agent for the North-Western Province.

Treasurer; and any sum or sums of money not exceeding one thousand two hundred and forty-nine pounds for the department of the Government Agent for the Western Province; and any sum or sums of money not exceeding two hundred and seventy-five pounds for the department of the Government Agent for the North-Western Province; and any sum or sums of money not exceeding two hundred and thirty-six pounds for the department of the Government Agent for the Southern Province; and any sum or sums of money not exceeding one hundred and sixty pounds for the department of the Government Agent for the Eastern Province; and any sum or sums of money not exceeding twenty-five pounds for the department of the Government Agent for the Northern Province; and any sum or sums of money not exceeding one thousand two hundred and twenty-two pounds for the department of the Government Agent for the Central Province; and any sum or sums of money not exceeding one hundred and thirty pounds for the Colonial Agents in India.

4. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding eleven thousand five hundred and forty-one pounds to defray the charges for the Revenue Services of the different departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding two hundred and twenty pounds for the department of the Treasurer; and any sum or sums of money not exceeding two thousand one hundred and sixteen pounds for the department of the Government Agent for the Western Province; and any sum or sums of money not exceeding two thousand three hundred and ninety-six pounds for the department of the Government Agent for the North-Western Province; and any sum or sums of money not exceeding two thousand three hundred and ninety pounds for the department of the Government Agent for the Southern Province; and any sum or sums of money not exceeding six hundred and forty-eight pounds for the department of the Government Agent for the Eastern Province; and any sum or sums of money not exceeding two thousand three hundred and seventy pounds for the department of the Government Agent for the Northern Province; and any sum or sums of money not exceeding one thousand four hundred and one pounds for the department of the Government Agent for the Central Province.

5. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding three thousand eight hundred and sixty pounds to defray the charges for Administration of Justice of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding two thousand two hundred and fifty pounds for the department of the Registrar of the Supreme Court; and any sum or sums of money not exceeding four hundred and twenty-two pounds for the departments of the several District Judges, Commissioners of the Courts of Requests, and Police Magistrates; and any sum or sums of money not exceeding one thousand one hundred and eighty-eight pounds for the departments of the several Fiscals.

6. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding nine hundred pounds to defray the Ecclesiastical charges of the department of the Treasurer.

7. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding three thousand nine hundred and fifteen pounds to defray the charges for Charitable Allowances of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding two thousand three hundred and twenty-three pounds for the department of the Government Agent for the Western Province; and any sum or sums of money not exceeding eighty pounds for

500*l.* for the department of the Government Agent for the Southern Province.

248*l.* for the department of the Government Agent for the Eastern Province.

450*l.* for the department of the Government Agent for the Northern Province.

314*l.* for the department of the Government Agent for the Central Province.

There shall and may be issued and applied 1,978*l.* for Education of the several departments, viz. :—

969*l.* for the department of the Government Agent for the Western Province.

45*l.* for the department of the Government Agent for the North-Western Province.

186*l.* for the department of the Government Agent for the Southern Province.

198*l.* for the department of the Government Agent for the Eastern Province.

535*l.* for the department of the Government Agent for the Northern Province.

45*l.* for the department of the Government Agent for the Central Province.

There shall and may be issued and applied 5,120*l.* for Hospitals of the several departments, viz. :—

3,060*l.* for the department of the Government Agent for the Western Province.

255*l.* for the department of the Government Agent for the North-Western Province.

13*l.* for the department of the Government Agent for the Southern Province.

137*l.* for the department of the Government Agent for the Eastern Province.

368*l.* for the department of the Government Agent for the Northern Province.

1,387*l.* for the department of the Government Agent for the Central Province.

There shall and may be issued and applied 5,647*l.* for Police and Gaols of the several departments, viz. :—

316*l.* for the departments of the several Government Agents.

102*l.* for the departments of the several District Judges Commissioners of the Courts of Requests and Police Magistrates.

2,365*l.* for the department of the Fiscal for the Western Province.

374*l.* for the department of the Fiscal for the North-Western Province.

920*l.* for the department of the Fiscal for the Southern Province.

the department of the Government Agent for the North-Western Province; and any sum or sums of money not exceeding five hundred pounds for the department of the Government Agent for the Southern Province; and any sum or sums of money not exceeding two hundred and forty-eight pounds for the department of the Government Agent for the Eastern Province; and any sum or sums of money not exceeding four hundred and fifty pounds for the department of the Government Agent for the Northern Province; and any sum or sums of money not exceeding three hundred and fourteen pounds for the department of the Government Agent for the Central Province.

8. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding one thousand nine hundred and seventy-eight pounds to defray the charges for education of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding nine hundred and sixty-nine pounds for the department of the Government Agent for the Western Province; and any sum or sums of money not exceeding forty-five pounds for the department of the Government Agent of the North-Western Province; and any sum or sums of money not exceeding one hundred and eighty-six pounds for the department of the Government Agent for the Southern Province; and any sum or sums of money not exceeding one hundred and ninety-eight pounds for the department of the Government Agent for the Eastern Province; and any sum or sums of money not exceeding five hundred and thirty-five pounds for the department of the Government Agent for the Northern Province; and any sum or sums of money not exceeding forty-five pounds for the department of the Government Agent for the Central Province.

9. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding five thousand one hundred and twenty pounds to defray the charges for hospitals of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding three thousand and sixty pounds for the department of the Government Agent for the Western Province; and any sum or sums of money not exceeding two hundred and fifty-five pounds for the department of the Government Agent for the North-Western Province; and any sum or sums of money not exceeding thirteen pounds for the department of the Government Agent for the Southern Province; and any sum or sums of money not exceeding one hundred and thirty-seven pounds for the department of the Government Agent for the Eastern Province; and any sum or sums of money not exceeding three hundred and sixty pounds for the department of the Government Agent for the Northern Province; and any sum or sums of money not exceeding one thousand two hundred and eighty-seven pounds for the department of the Government Agent for the Central Province.

10. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding five thousand six hundred and forty-seven pounds to defray the charges for police and gaols of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding three hundred and sixteen pounds for the departments of the several Government Agents; and any sum or sums of money not exceeding one hundred and two pounds for the departments of the several District Judges, Commissioners of the Courts of Requests, and Police Magistrates; and any sum or sums of money not exceeding two thousand three hundred and sixty-five pounds for the department of the Fiscal for the Western Province; and any sum or sums of money not exceeding three hundred and seventy-four pounds for the department of the Fiscal for the North-Western Province; and any sum or sums of money not exceeding nine hun-

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1132. for the department of the Fiscal for the Eastern Province.

3122. for the department of the Fiscal for the Northern Province.

1,0251. for the department of the Fiscal for the Central Province.

1202. for the departments of the Superintendents of the Police of Colombo and Kandy.

There shall and may be issued and applied 2,1142. for Rent of the several departments, viz. :—

302. for the department of the Colonial Secretary.

722. for the department of the Surveyor-General.

1382. for the department of the Treasurer.

1522. for the department of the Postmaster-General.

7312. for the department of the Government Agent for the Western Province.

292. for the department of the Government Agent for the North-Western Province.

2032. for the department of the Government Agent for the Southern Province.

402. for the department of the Government Agent for the Eastern Province.

472. for the department of the Government Agent for the Northern Province.

1352. for the department of the Government Agent for the Central Province.

642. for the department of the Queen's Advocate.

392. for the department of the District Judge of Kandy.

722. for the department of the District Judge of Badulla.

362. for the department of the Police Magistrate of Colombo.

482. for the department of the Commissioner of the Court of Requests and Police Magistrate of Kandy.

92. for the department of the Commissioner of the Court of Requests and Police Magistrate of Matura.

142. for the Colonial Medical Department.

1542. for the department of the Superintendent of the Police of Colombo.

742. for the department of the Superintendent of the Police of Kandy.

92. for the department of the Fiscal for the Western Province.

There shall and may be issued and applied 5,6602. for Transport of the several departments, viz. :—

502. for the department of the Governor.

2002. for the department of the Colonial Secretary.

dred and twenty pounds for the department of the Fiscal for the Southern Province; and any sum or sums of money not exceeding one hundred and thirteen pounds for the department of the Fiscal for the Eastern Province; and any sum or sums of money not exceeding three hundred and twelve pounds for the department of the Fiscal for the Northern Province; and any sum or sums of money not exceeding one thousand and twenty-five pounds for the department of the Fiscal for the Central Province; and any sum or sums of money not exceeding one hundred and twenty pounds for the departments of the Superintendents of the Police of Colombo and Kandy.

11. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding two thousand one hundred and fourteen pounds to defray the charges for rent of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding thirty pounds for the department of the Colonial Secretary; and any sum or sums of money not exceeding seventy-two pounds for the department of the Surveyor-General; and any sum or sums of money not exceeding one hundred and thirty-eight pounds for the department of the Treasurer; and any sum or sums of money not exceeding one hundred and fifty-two pounds for the department of the Postmaster-General; and any sum or sums of money not exceeding seven hundred and thirty-one pounds for the department of the Government Agent for the Western Province; and any sum or sums of money not exceeding twenty-nine pounds for the department of the Government Agent for the North-Western Province; and any sum or sums of money not exceeding two hundred and three pounds for the department of the Government Agent for the Southern Province; and any sum or sums of money not exceeding forty pounds for the department of the Government Agent for the Eastern Province; and any sum or sums of money not exceeding forty-seven pounds for the department of the Government Agent for the Northern Province; and any sum or sums of money not exceeding one hundred and thirty-three pounds for the department of the Government Agent for the Central Province; and any sum or sums of money not exceeding eighty-four pounds for the department of the Queen's Advocate; and any sum or sums of money not exceeding thirty-nine pounds for the department of the District Judge of Kandy; and any sum or sums of money not exceeding seventy-two pounds for the department of the District Judge of Badulla; and any sum or sums of money not exceeding thirty-six pounds for the department of the Police Magistrate of Colombo; and any sum or sums of money not exceeding forty-eight pounds for the department of the Commissioner of the Court of Requests and Police Magistrate of Kandy; and any sum or sums of money not exceeding nine pounds for the department of the Commissioner of the Court of Requests and Police Magistrate of Matura; and any sum or sums of money not exceeding fourteen pounds for the Colonial Medical Department; and any sum or sums of money not exceeding one hundred and fifty-four pounds for the department of the Superintendent of the Police at Colombo; and any sum or sums of money not exceeding seventy-four pounds for the department of the Superintendent of the Police of Kandy; and any sum or sums of money not exceeding nine pounds for the department of the Fiscal for the Western Province.

12. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding five thousand six hundred and sixty pounds to defray the charges for transport of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding fifty pounds for the department of the Governor; and any sum or sums of money not exceeding two

1,400*l.* for the department of the Treasurer.

50*l.* for the department of the Auditor and Accountant-General and Comptroller of Revenue.

512*l.* for the department of the Surveyor-General.

236*l.* for the department of the Superintendent of the Botanic Garden.

126*l.* for the department of the Customs in the Western Province.

25*l.* for the department of the Customs in the Southern Province.

2*l.* for the department of the Customs in the Eastern Province.

80*l.* for the department of the Customs in the Northern Province.

682*l.* for the department of the Government Agent for the Western Province.

175*l.* for the department of the Government Agent for the North-Western Province.

180*l.* for the department of the Government Agent for the Southern Province.

160*l.* for the department of the Government Agent for the Eastern Province.

454*l.* for the department of the Government Agent for the Northern Province.

330*l.* for the department of the Government Agent for the Central Province.

255*l.* for the departments of the several District Judges, Commissioners of the Courts of Requests, and Police Magistrates.

300*l.* for the Colonial Medical Department.

110*l.* for the department of the Superintendent of the Police of Colombo.

72*l.* for the department of the Superintendent of the Police of Kandy.

240*l.* for the department of the Fiscal for the Western Province.

20*l.* for the department of the Fiscal for the North-Western Province.

2*l.* for the department of the Fiscal for the Eastern Province.

25*l.* for the department of the Fiscal for the Central Province.

There shall and may be issued and applied 791*l.* for Conveyance of Mails of the several departments, viz. :—

691*l.* for the department of the Postmaster-General.

100*l.* for the Governments and Colonial Agents in India.

There shall and may be issued and applied, in addition to the Establishments of the Civil Engineer and of the Royal Engineers, 11,700*l.* for Works and Buildings of the several departments, viz. :—

hundred pounds for the department of the Colonial Secretary; and any sum or sums of money not exceeding one thousand and four hundred pounds for the department of the Treasurer; and any sum or sums of money not exceeding fifty pounds for the department of the Auditor and Accountant-General and Comptroller of Revenue; and any sum or sums of money not exceeding five hundred and twelve pounds for the department of the Surveyor-General; and any sum or sums of money not exceeding two hundred and thirty pounds for the department of the Superintendent of the Botanic Garden; and any sum or sums of money not exceeding one hundred and twenty-six pounds for the department of the Customs in the Western Province; and any sum or sums of money not exceeding twenty-five pounds for the department of the Customs in the Southern Province; and any sum or sums of money not exceeding two pounds for the department of the Customs in the Eastern Province; and any sum or sums of money not exceeding eighty pounds for the department of the Customs in the Northern Province; and any sum or sums of money not exceeding six hundred and sixty-two pounds for the department of the Government Agent for the Western Province; and any sum or sums of money not exceeding one hundred and seventy-five pounds for the department of the Government Agent for the North-Western Province; and any sum or sums of money not exceeding one hundred and eighty pounds for the department of the Government Agent for the Southern Province; and any sum or sums of money not exceeding one hundred and sixty pounds for the department of the Government Agent for the Eastern Province; and any sum or sums of money not exceeding four hundred and fifty-four pounds for the department of the Government Agent for the Northern Province; and any sum or sums of money not exceeding three hundred and thirty pounds for the department of the Government Agent for the Central Province; and any sum or sums of money not exceeding two hundred and fifty-five pounds for the departments of the several District Judges, Commissioners of the Courts of Requests, and Police Magistrates; and any sum or sums of money not exceeding three hundred pounds for the Colonial Medical Department; and any sum or sums of money not exceeding one hundred and ten pounds for the department of the Superintendent of the Police of Colombo; and any sum or sums of money not exceeding seventy-two pounds for the department of the Superintendent of the Police of Kandy; and any sum or sums of money not exceeding two hundred and forty pounds for the department of the Fiscal for the Western Province; and any sum or sums of money not exceeding twenty pounds for the department of the Fiscal for the North-Western Province; and any sum or sums of money not exceeding two pounds for the department of the Fiscal for the Eastern Province; and any sum or sums of money not exceeding twenty-five pounds for the department of the Fiscal for the Central Province.

13. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding seven hundred and ninety-one pounds to defray the charges for conveyance of Mails of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding six hundred and ninety-one pounds for the department of the Postmaster-General; and any sum or sums of money not exceeding one hundred pounds for the Governments and Colonial Agents in India.

14. And it is further enacted, that out of the said sum there shall and may be issued and applied, in addition to the Establishments of the Civil Engineer and of the Royal Engineers, any sum or sums of money not exceeding eleven thousand and seven hundred pounds to defray the charges for works and buildings of the several departments, as hereinafter more particularly expressed;

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7,700*l.* for the department of the Treasurer for the undermentioned Works and Buildings.

For the completion of works already begun:—

775*l.* for the Offices of the Colonial Secretary, the Civil Engineer, the Surveyor-General, and the Commissioner of Roads.
2,297*l.* for the District Court House at Colombo.

39*l.* for the rest house at Palleggamme.
162*l.* for adding four cells to the Hulfsdorp-gaol.

695*l.* for adding twenty cells to the Wellikadde gaol.

83*l.* for building a workshop at the Wellikadde gaol.

57*l.* for building a central watch-house at the Wellikadde gaol.

227*l.* for the house of the District Judge at Ratnapoora.

71*l.* for completing the house and out-houses of the Police Magistrate at Awishawelle.

33*l.* for completing two houses for the Clerk and Interpreter at Awishawelle.

300*l.* for completing the Commissariat Store at Nuwera-Ellia.

650*l.* for an iron lighthouse at Galle.

200*l.* for the house of the Police Magistrate at Rickellegaskedde.

90*l.* for rebuilding the Bund Wall at Kandy.

100*l.* for filling in the Lower Lake at Kandy.

60*l.* for building a drain in the Lower Lake at Kandy.

3,450*l.* for the repairs of Government buildings, the cost of which shall not exceed 200*l.* for each work.

For New Works:

212*l.* for providing an office and chambers for the Colonial Secretary.

231*l.* for an export shed at the Colombo wharf.

63*l.* for building a rest house at Arnemadoc.

179*l.* for a timber salt store at Putlam.

800*l.* for providing offices for the Government Agent at Trincomalee.

1,000*l.* for new works, the cost of each of which shall not exceed 200*l.*

240*l.* for the instruction in various trades of prisoners in the gaol at Wellikadde.

300*l.* for implements.

550*l.* for the elephant establishment.

4,000*l.* for the department of the Deputy Commissary General for the undermentioned military works and buildings.

3,920*l.* for general repairs.

50*l.* for cutting and planting trees at Colombo.

100*l.* for sawing.

205*l.* for enclosing three verandahs of a barrack at Colombo.

81*l.* for fittings of two barracks at Galle.

323*l.* for erecting huts for the Ceylon Rifles at Hambantotte.

200*l.* for repairing the buildings of the Ceylon Rifles at Colombo.

51*l.* for repairing the buildings of the Gun Lascars at Colombo.

50*l.* for fitting up a hospital at Hambantotte.

235*l.* for repairing No. 12 quarter at Trincomalee.

169*l.* for repairing No. 5 quarter at Trincomalee.

15*l.* for keeping in repair the military reserve at Kandy.

40*l.* for repairing No. 14 quarter at Nuwera-Ellia.

90*l.* for implements.

There shall and may be issued and applied, in addition to the establishments of the Commissioner of Roads, the Civil Engineer, and the Town Surveyor, 31,974*l.*, to defray the charges of the Treasurer for the undermentioned roads, streets, and bridges, viz.,
For the ordinary and necessary repairs of roads:

330*l.* for the repairs of roads within towns.

10,000*l.* for the road from Colombo to Kandy.

that is to say, for the department of the Treasurer for the undermentioned works and buildings seven thousand and seven hundred pounds. For the completion of works already begun, the undermentioned sums, viz., for the offices of the Colonial Secretary, the Civil Engineer, the Surveyor-General, and the Commissioner of Roads, seven hundred and seventy-five pounds, for the District Court House at Colombo two thousand two hundred and ninety-seven pounds, for the Rest House at Palleggamme thirty-nine pounds, for adding four cells to the Hulfsdorp Gaol one hundred and sixty-two pounds, for adding twenty cells to the Wellikadde Gaol six hundred and ninety-five pounds, for building a workshop at the Wellikadde Gaol eighty-three pounds, for building a central watch-house at the Wellikadde Gaol fifty-seven pounds, for the house of the District Judge at Ratnapoora two hundred and twenty-seven pounds, for completing the house and out-houses of the Police Magistrate at Awishawelle seventy-one pounds, for completing two houses for the Clerk and Interpreter at Awishawelle thirty-three pounds, for completing the commissariat store at Nuwera-Ellia three hundred pounds, for an iron lighthouse at Galle six hundred and fifty pounds, for the house of the Police Magistrate at Rickellegaskedde two hundred pounds, for rebuilding the Bund Wall at Kandy ninety pounds, for filling in the Lower Lake at Kandy one hundred pounds, and for building a drain in the same sixty pounds. For the repairs of Government buildings, the cost of which shall not exceed two hundred pounds for each work, three thousand four hundred and fifty pounds.

For new works, the undermentioned sums—For providing an office and chambers for the Colonial Secretary two hundred and twelve pounds, for an export shed at the Colombo wharf two hundred and thirty-one pounds, for building a rest house at Arnemadoc sixty-three pounds, for a timber salt store at Putlam one hundred and seventy-nine pounds, and for providing offices for the Government Agent at Trincomalee eight hundred pounds, for new works, the cost of each of which shall not exceed two hundred pounds, one thousand pounds. For the instruction in various trades of prisoners in the gaol at Wellikadde two hundred and forty pounds. For implements three hundred pounds. For the elephant establishment five hundred and fifty pounds. And for the department of the Deputy Commissary General for the undermentioned military works and buildings, four thousand pounds, viz., for general repairs three thousand nine hundred and twenty pounds, for cutting and planting trees at Colombo fifty pounds, for sawing one hundred pounds, for enclosing three verandahs of a barrack at Colombo two hundred and five pounds, for fittings of two barracks at Galle eighty-four pounds, for erecting huts for the Ceylon Rifles at Hambantotte three hundred and twenty-three pounds, for repairing the buildings of the Ceylon Rifles at Colombo two hundred pounds, for repairing the buildings of the Gun Lascars at Colombo fifty-one pounds, for fitting up a hospital at Hambantotte fifty pounds, for repairing No. 12 quarter at Trincomalee two hundred and thirty-five pounds, for repairing No. 5 quarter at Trincomalee one hundred and sixty-nine pounds, for keeping in repair the military reserve at Kandy fifteen pounds, for repairing No. 14 quarter at Nuwera-Ellia forty pounds, and for implements ninety pounds.

15. And it is further enacted, that out of the said sum there shall and may be issued and applied, in addition to the establishments of the Commissioner of Roads, the Civil Engineer, and the Town Surveyor, any sum or sums of money not exceeding thirty-one thousand nine hundred and seventy-four pounds, to defray the charges of the Treasurer for the undermentioned roads, streets, and bridges, viz., for the ordinary and necessary repairs of roads, the undermentioned sums, viz., for the repairs of roads within towns four thousand three hundred and thirty pounds, for the road from Colombo to Kandy ten

- 1,000*l.* for the road from Colombo to Galle.
 1,000*l.* for the road from Ambepasse by Kornegalle to Kandy.
 2,000*l.* for the road from Kandy to Nuwera Ellia.
 800*l.* for the road from Colombo to Awishawelle.
 500*l.* for the road from Putlam to Kornegalle.
 800*l.* for the roads in the Peninsula of Jaffna.
 1,000*l.* for the road from Badulla to Hambantotte.
 500*l.* for the road from Galle to Hambantotte.
 500*l.* for the road from Colombo to Jaffna.
 250*l.* for the road from Badulla to Nuwera Ellia.
 800*l.* for the road from Kandy to Matelle.
 150*l.* for the road from Negombo to Veangodde.
 100*l.* for the road from Batticaloa to Badulla.
 150*l.* for the road from Pantura to Horrene.
 100*l.* for the road from Galle to Baddegamme, and from Baddegamme to Hickodde.
 150*l.* for the road from Kandy to Badulla.
 200*l.* for the road from Badulla to Madoolla.
 87*l.* for the road from Ella to Happotella.
 200*l.* for the road from Negombo to Kornegalle.
 890*l.* for the road from Yattiantotte to Gampolla.
 350*l.* for the road from Awishawelle to Ratnapoora.
 For opening and improving roads already begun:
 60*l.* for continuing the road along the beach at Colombo.
 377*l.* for improving the streets at Colombo.
 300*l.* for the parish roads in Jaffna.
 1,000*l.* for the road from Peradeniato Deltotte.
 7,794*l.* for the road from Yattiantotte to Gampolla.
 1,000*l.* for the road from Nawolepitya towards Dimboola.
 300*l.* for the road from Varene to Point Pedro.
 750*l.* for the road from Anarajapoorra to Putlam.
 For opening new roads:
 1,500*l.* for opening a road from Manar to the central road from Dambool to Jaffna.
 400*l.* for half the cost of opening a road from Degaroelle to Pantura.
 300*l.* for surveying roads in the Northern Province.
 750*l.* for general service.
 1,100*l.* for implements.
 1,140*l.* for the elephant establishment.
 For New Bridges:
 250*l.* for half the cost of building a bridge at Degaroelle.
 300*l.* for building a bridge on the glacis road at Colombo.
 197*l.* for building a bridge at Jayelle.
 321*l.* for building a bridge at Ballepittymodera.
 215*l.* for building a bridge at Bogambra.
 447*l.* for building the bridge No. 4 on the road from Gampolla to Ambegamme.
 355*l.* for building the bridge No. 5 on the same road.
 For repairs of Bridges:
 396*l.* for the ordinary repairs of the bridge of boats for the year 1848.
 60*l.* for decking ten boats of the same bridge.
 230*l.* for building two iron boats for the same bridge.
 173*l.* for repairing the Palmirah bridge.
 421*l.* for furnishing seven ferry boats.

Treasurer not to issue or pay more than the sum of 18,226*l.* for the department of the Civil Engineer, including the cost of his establishment and stores.
 43,430*l.* to the Commissioner of Roads, in.

thousand pounds, for the road from Colombo to Galle one thousand pounds, for the road from Ambepasse by Kornegalle to Kandy one thousand pounds, for the road from Kandy to Nuwera-Ellia two thousand pounds, for the road from Colombo to Awishawelle eight hundred pounds, for the road from Putlam to Kornegalle five hundred pounds, for the roads in the Peninsula of Jaffna eight hundred pounds, for the road from Badulla to Hambantotte one thousand pounds, for the road from Galle to Hambantotte five hundred pounds, for the road from Colombo to Jaffna five hundred pounds, for the road from Badulla to Nuwera-Ellia two hundred and fifty pounds, for the road from Kandy to Matelle eight hundred pounds, for the road from Negombo to Veangodde one hundred and fifty pounds, for the road from Batticaloa to Badulla one hundred pounds, for the road from Pantura to Horrene one hundred and fifty pounds, for the road from Galle to Baddegamme, and from Baddegamme to Hickodde one hundred pounds, for the road from Kandy to Badulla one hundred and fifty pounds, for the road from Badulla to Madoolla two hundred pounds, for the road from Ella to Happotella eighty-seven pounds, for the road from Negombo to Kornegalle two hundred pounds, for the road from Yattiantotte to Gampolla eight hundred and ninety pounds, and for the road from Awishawelle to Ratnapoora three hundred and fifty pounds. For opening and improving roads already begun, the undermentioned sums, viz., for continuing the road along the beach at Colombo sixty pounds, for improving the streets of Colombo three hundred and seventy-seven pounds, for the parish roads in Jaffna three hundred pounds, for the road from Peradenia to Deltotte one thousand pounds, for the road from Yattiantotte to Gampolla seven thousand seven hundred and ninety-four pounds, for the road from Nawolepitya towards Dimboola one thousand pounds, for the road from Varene to Point Pedro three hundred pounds, and for the road from Anarajapoorra to Putlam seven hundred and fifty pounds. For opening new roads, the undermentioned sums, viz., for opening a road from Manar to the central road from Dambool to Jaffna one thousand and five hundred pounds, and for half the cost of opening a road from Degaroelle to Pantura four hundred pounds. For surveying roads in the Northern Province three hundred pounds. For general service seven hundred and fifty pounds. For implements one thousand and one hundred pounds. For the elephant establishment one thousand one hundred and forty pounds. And for new bridges, the undermentioned sums, viz., for half the cost of building a bridge at Degaroelle two hundred and fifty pounds, for building a bridge on the glacis road at Colombo three hundred pounds, for building a bridge at Jayelle one hundred and ninety-seven pounds, for building a bridge at Ballepittymodera three hundred and twenty-one pounds, for building a bridge at Bogambra two hundred and fifteen pounds, for building the bridge No. 4, on the road from Gampolla to Ambegamme, four hundred and forty-seven pounds, and for building the bridge No. 5, on the same road, three hundred and fifty-five pounds. And for repairs of bridges, the undermentioned sums, viz., for the ordinary repairs of the bridge of boats, for the year One thousand eight hundred and forty-eight, three hundred and ninety-six pounds, for decking 10 boats of the same bridge sixty pounds, for building two iron boats for the same bridge two hundred and thirty pounds, and for repairing the Palmirah bridge one hundred and seventy-three pounds. And for furnishing seven ferry boats four hundred and twenty-one pounds.

16. Provided always and it is further enacted, that it shall not be lawful for the Treasurer to issue or pay more than the sum of eighteen thousand two hundred and twenty-six pounds for the department of the Civil Engineer, including the cost of his establishment and stores; nor more than the sum of forty-three thousand four

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cluding the cost of his establishment and stores.

3,611*l.* for the department of the Town Surveyor, including the cost of his establishment and stores.

6,000*l.* for works and buildings to the Deputy Commissary General, including the establishment of the Royal Engineers and stores.

There shall and may be issued and applied 9,291*l.* for miscellaneous services of the several departments, viz.:

3,200*l.* for the department of the Surveyor General.

1,575*l.* for the department of the Government Agent for the Western Province.

310*l.* for the department of the Government Agent for the North Western Province.

150*l.* for the department of the Government Agent for the Southern Province.

12*l.* for the department of the Government Agent for the Eastern Province.

909*l.* for the department of the Government Agent for the Northern Province.

394*l.* for the department of the Government Agent for the Central Province.

1,341*l.* for the Agent General in London.

1,400*l.* for the Governments and Colonial Agents in India.

There shall and may be issued and applied 56,954*l.* for the Colonial Commissariat, viz.:

40,954*l.* for the department of the Deputy Commissary General.

5,500*l.* for the Agent General in London.

1,500*l.* for the Colonial Agents in India.

There shall and may be issued and applied 400*l.* for Government vessels of the department of the Treasurer.

There shall and may be issued and applied 300*l.* for refund of duties of the department of the Customs.

Treasurer to pay the above at such times as the Governor by Warrant shall order.

And to receive credit in his accounts for the payments made in pursuance thereof.

hundred. and thirty pounds to the Commissioner of Roads, including the cost of his establishment and stores; nor more than the sum of three thousand six hundred and eleven pounds for the department of the Town Surveyor, including the cost of his establishment and stores; nor more than the sum of six thousand pounds for works and buildings to the Deputy Commissary General, including the establishment of the Royal Engineers and stores.

17. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding nine thousand two hundred and ninety-one pounds to defray the charges for miscellaneous services of the several departments, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding three thousand and two hundred pounds for the department of the Surveyor-General, and any sum or sums of money not exceeding one thousand five hundred and seventy-five pounds for the department of the Government Agent for the Western Province; and any sum or sums of money not exceeding three hundred and ten pounds for the department of the Government Agent for the North Western Province; and any sums or sums of money not exceeding one hundred and fifty pounds for the department of the Government Agent for the Southern Province; and any sum or sums of money not exceeding twelve pounds for the department of the Government Agent for the Eastern Province; and any sum or sums of money not exceeding nine hundred and nine pounds for the department of the Government Agent for the Northern Province; and any sum or sums of money not exceeding three hundred and ninety-four pounds for the department of the Government Agent for the Central Province; and any sum or sums of money not exceeding one thousand three hundred and forty-one pounds for the Agent General in London; and any sum or sums of money not exceeding one thousand and four hundred pounds for the Governments and Colonial Agents in India.

18. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding fifty-six thousand nine hundred and fifty-four pounds to defray the charges of the Colonial Commissariat as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding forty-nine thousand nine hundred and fifty-four pounds for the department of the Deputy Commissary General; and any sum or sums of money not exceeding five thousand and five hundred pounds for the Agent General in London; and any sum or sums of money not exceeding one thousand and five hundred pounds for the Colonial Agents in India.

19. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding four hundred pounds to defray the charges for Government vessels of the department of the treasurer.

20. And it is further enacted, that out of the said sum there shall and may be issued and applied any sum or sums of money not exceeding three hundred pounds to defray the charges for refund of duties of the department of the Customs.

21. And it is further enacted, that the Treasurer of this island shall issue and pay the said several sums to such persons for the purposes hereinbefore-mentioned upon such days and in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him shall from time to time order and direct; and that the payments so to be made shall be charged upon and payable out of the revenues of the said island.

22. And it is further enacted, that the said Treasurer shall in his accounts from time to time, be allowed credit for any sum or sums of money paid by him in pursuance of such warrant, or order in writing as aforesaid; and

that the receipt or receipts of the respective persons to whom the same shall be so paid, shall be a full and valid discharge to the said Treasurer in passing his said accounts for any such sum or sums as shall be therein mentioned; and that he shall and do receive credit for the same accordingly.

Passed in Council the thirtieth day of December, One thousand eight hundred and forty-seven.

G. C. TALBOT,
Acting Clerk to the Council.

Published by Order of His Excellency the Governor,

J. EMERSON TENNENT,
Col. Secretary.

Enclosure 2 in No. 8.

Encl. 2 in No. 8.

REPORT of a SUB-COMMITTEE of the LEGISLATIVE COUNCIL appointed to report upon the Ordinance "To apply a sum not exceeding one hundred and ninety-four thousand and thirty-four pounds to the Contingent Service of the year 1848."

Extract from the Minutes of the Legislative Council, held at the Council Room at Colombo, on Thursday, the 16th day of December, 1847.

The Colonial Secretary moves that the following gentlemen be appointed a Sub-Committee to report upon the Bill "To apply a sum not exceeding one hundred and ninety-four thousand and thirty-four pounds to the Contingent Service of the year 1848:—"

The Honourable Sir J. Emerson Tennent, K.C.S., Colonial Secretary.
The Honourable C. J. MacCarthy, Esq., Auditor-General.
The Honourable P. E. Wodehouse, Esq., Acting Treasurer.
W. C. Gibson, Esq., Acting Government Agent for the Western Province.
F. Saunders, Esq., Collector of Customs for the Western Province.
G. Crabbe, Esq., J. Armitage, Esq., Unofficial Members.

Seconded by the Acting Queen's Advocate.

Resolved accordingly.

REPORT.

AFTER a careful consideration of the estimates of the probable revenue and other receipts for the forthcoming year, the Committee are of opinion that they are framed with sufficient foresight and moderation to warrant a reasonable confidence in their realization, notwithstanding the present depression, which affects the value of colonial produce generally, as well as the internal trade of the island. The new branches of income which are about to be opened up are calculated, in the opinion of the committee, to reproduce from legitimate sources an amount equal at least to that portion of the revenue which must be displaced by the removal of the duty upon colonial exports, and the equalization of the tax on British and foreign imports; but they cannot withhold the expression of their apprehension, that without some considerable addition, the gross revenue of the colony may soon be found insufficient to meet the exigencies of the public service, greatly augmented as these are likely to be by the extension of estates, the wants of an increasing British population, and, it is to be hoped, an increased activity and industry amongst the native inhabitants of the island.

The Committee are desirous to express their concurrence in the propriety of the efforts now making by the Governor and Council to distribute the burthen of taxation more equally than it has hitherto been borne, over all classes sharing the protection and advantages of good government; and they would more especially record their approval of the contemplated measure which has been officially announced for transferring a portion of the serious charge for the opening and repairing of roads, which has hitherto fallen exclusively upon the public treasury, to the population generally, who, being almost universally holders of land, are likely to be the chief gainers by their construction. Without some such equitable arrangement being made within the coming year, to oblige those who use the roads to contribute towards their maintenance, either by labour or its equivalent in money, the Committee cannot recommend that even the full amount which is now about to be placed at the disposal of the Governor should be expended by his Excellency under the direction of the Commissioner of Roads without a cautious discrimination as to the circumstance and necessities of each district, and every possible economy of the gross sum appropriated to that department of the public service.

The Committee would likewise invite the serious attention of the Government, and, it is to be hoped, through them, of the home authorities, to the permanent charge for the fixed establishments of the colony, whose prospective amount will receive a formidable augmentation from time to time as the parties now in active employment come to claim their several pensions from the Treasury. This charge is even at this moment embarrassing, from the obstacle which it presents to the reduction of departments whose present duties might with advantage be curtailed or dispensed with altogether, but which cannot now be economically interfered with owing to the permanent attachment of these officers to the Government.

With regard to the specific votes in the Ordinance, and, in the first place, the sum appropriated by:—

CEYLON.

CLAUSE 2.—*For Provisional and Temporary Salaries, Allowances, and Office Contingencies of the several Departments.*

The Committee beg to remark that the amount assigned for 1848 to the Treasurer does not contain provision, as in former years, for the contingent expense of the colonial steamer "Seaforth," as it has been intimated that the Government have it in contemplation to discontinue her voyages between Colombo and Bombay, and to limit her duties to the local service of the colony, thus reducing her expenditure as nearly as possible to that which has been rendered permanent by placing the officers on the fixed establishment.

The vote of 1550*l.* for the civil engineer is in addition to the salaries of his fixed establishment, amounting to 3690*l.*, and is merely to cover the cost of extra clerks and superintendents.

The Committee would strongly urge the propriety of diminishing the number of the latter in proportion to the amount of works to be undertaken; and, looking to the entire sum to be applied to public buildings and bridges within the present year, they are struck with the fact that the sums required for the Civil Engineer's department, fixed and contingent, amount to upwards of 50 per cent. upon the gross amounts whose expenditure they are to direct. This disproportion is so remarkable that the committee beg to suggest, for the consideration of the Governor and Council, the propriety of reducing the number of persons so employed, where the nature of their engagement permits, and of drafting them into other departments, should their attachment to the fixed establishment of the colony be an obstacle to dispensing with their services altogether. An improvement which seems to be immediately practicable would be to make a portion of the fixed establishment at once available for the duties of the unfixed, whose services may be dispensed with.

The sum of 3725*l.*, appropriated to the Commissioner of Roads, is to cover, amongst other items, the salaries of his superintendents, medical officers, office furniture, and the clothing for the divisions and sub-divisions of pioneers.

The sum of 1588*l.* is the total expense for salaries of the Town Surveyor and his establishment, no part of which is as yet borne on the fixed establishment.

The sums assigned respectively to the Government Agents of the several provinces vary considerably from those severally apportioned to them in former Ordinances. This arises not from any increase of expenditure, but from an alteration in the mode of bringing some charges to account which will hereafter be defrayed through them, instead of the Treasurer or other officers, as heretofore. In addition to the cost of the headmen, rest housekeepers, peace-officers, and other functionaries, the salaries of all schoolmasters not on the fixed establishment, will as usual, be defrayed out of the several votes now recommended for the Government Agents.

The vote of 1088*l.* for the Customs of the Western Province includes the charges for grain-sheds, extra officers, boats, and rowers, in addition to the amount of contingent salaries, which are also provided for by similar votes to the other collectors.

The vote for the post-office is for salaries and the pay of tappel runners: that for the judicial departments includes the expense of clerks, messengers, and officers not on the fixed establishment, together with the furniture and other petty expenses of the Courts; and the sums assigned under this clause to the fiscals are chiefly for the salaries of gaolers, turnkeys, and clerks at out-stations.

To the police at Colombo is voted a sum of 1604*l.*, which, in addition to the pay of the constables' clothing and office allowances, is to bear likewise the charge of the police force at Negombo; and a similar vote of 2048*l.* for the police at Kandy is to be available in addition to similar purposes, for the payment of the rural police throughout that province, which is part and parcel of the same establishment.

The remaining vote of the second clause, 1332*l.* for the regiments serving in Ceylon, is to be applicable to the charges for messengers and official servants, batta to clerks, and remission of duty on wine and beer consumed by the troops and other officers. There is likewise a charge for the recruiting service; and the Committee would beg to submit to the attention of the Council that this latter expense should not fall exclusively on this colony so long as the garrison at Hong-Kong is composed in part of the Ceylon Rifle Corps, on whose account the charge is partially incurred.

CLAUSE 3.—*Pensions and Retired Allowances.*

The amount of these seems to the Committee to be one of the most serious items in the colonial liabilities. The sum now asked is to cover those allowances only which are borne on the colonial revenues without being authorized in detail by instructions from Her Majesty's Government, viz.:—

	£.	s.	d.	£.	s.	d.
Civil pensions	1,506	17	9			
Military ditto	2,730	0	0			
				4,236	17	9

But in addition to these the fixed pensions are—

Civil	25,808	0	0			
Military	2,882	0	0			
State pensions in India	2,950	0	0			
				31,640	0	0

Making a total of 35,876 17 9

Towards defraying this heavy annual charge the only available annual receipt is 3420*l.*, deducted by stoppages from the salaries of those on the fixed establishment; and, as the latter

amount is now at its maximum, whilst the issues are likely to increase from year to year, the committee cannot but look forward with some apprehension to the result, though they are not at present prepared to suggest any specific arrangement for its relief.

CLAUSE 4.

The votes included in this clause are exclusively for the payment of the officers employed in the realization of revenue, the collection of salt, the levying of the grain and arrack taxes, and the commutation department of the several proviucues.

CLAUSE 5.

The most important item in this clause is that which assigns 2250*l.* for the department of the Registrar of the Supreme Court, nearly the whole of which the committee are given to understand is expended in the charges incident to the circuits of the judges of assize. The committee are of opinion that the dignity of the Courts and the majesty of justice are rather prejudiced than enhanced by the processions of tom-toms and native guards, which have been hitherto attendant on the judges. Ceremonies of this nature have gradually been abandoned elsewhere, and the greatly advanced intelligence of the natives of Ceylon renders their continued use here rather derogatory than conducive to the grave and becoming observances of the Supreme Tribunal.

The committee would also invite attention to the serious cost of these circuits, on which it appears that the judges, in addition to being provided with houses and furnished apartments, and occasionally with opportunities of travelling at the public expense, are nevertheless in receipt of daily travelling allowances much greater than other officers of high rank in the colony who are not accommodated with these facilities.

It appears also that the inferior officers of the Court, when on circuit, are sometimes provided with separate houses at a multiplied expense, when with more ease, greater economy, and no doubt greater facility for the despatch of their public duties, they might be allotted separate apartments under the same roof. The committee would respectfully hope that now, when economy is carried into all other departments, the attention of the judges may be called by the Government to the propriety of retrenchment in this direction.

CLAUSE 8.—*Education.*

The committee regret to find that no material alteration has yet been effected in the constitution and operation of the Colombo Academy, an institution whose maintenance has not hitherto been productive of results commensurate to its expense. The committee, in reference to this vote, would beg to refer back to the report of the sub-committee of last year on the same subject, in the hope that some measures may be early taken to infuse greater efficiency into this costly institution, the expense of which is annually increasing. In connexion with the question of general education, the committee have learned with much satisfaction that a very effectual step has been taken for divesting it of any possible imputation of sectarian influence, by discontinuing altogether the system of chaplains and ministers schools. Looking to the mixed constitution of the school commission and its avowed object of diffusing secular instruction alike to all classes, nothing could be more prejudicial to its usefulness than to permit its labours to be made a pretext by rival sects for claiming a triumph for their own peculiar objects; and the committee are unanimously of opinion that the recent measure above alluded to will have a salutary effect in the prevention of such a result.

CLAUSE 9.

In the large expenditure authorized by this clause of 5120*l.* for hospitals, is included a liberal provision for medical attendance for Malabar coolies throughout every province in which their labour is in demand.

CLAUSE 10.

Makes provision in the departments of the fiscals and police for all the expenditure connected with the care of paupers, the local economy of towns, the maintenance and provisioning of prisoners, including their clothing and burial charges, the expenses of escorts and rewards, and a number of minor items of a similar description.

CLAUSE 11.

For defraying the rent of buildings required by various officers, provides for rooms for the surveyor-general, pending the rebuilding of his own offices. There are also small sums for buildings rented in Colombo and at out stations for the civil engineer and commissioner of roads and postmaster-general. The votes under this head to the Government agents are applicable to the rents of Government school houses, hospitals, and similar buildings for public purposes.

CLAUSE 12.

The sum for transport includes the travelling expenses of all the Government officers apportioned on the respective votes to each department, carriage of Government stores and articles for public use, removal of treasure, and expense of medical officers when engaged on vaccination duty or general service.

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CEYLON.

CLAUSE 14.—*The Civil Engineer.*

The committee take for granted, unless otherwise instructed by the Council, that the sums voted under this clause to the civil engineer are for the completion of the several works for which they have been respectively assigned. The first vote of 775*l.* is for the completion of a contract by the Messrs. Green of a range of public offices to be erected by them, and subject to the approval of the civil engineer.

The other works for which provision has been made are almost exclusively repairs, or the completion of buildings already commenced, and which would suffer injury by suspension; but though many new buildings have been represented as urgently required, the colonial finances are not in such a position as to warrant the committee in recommending that they should at present be undertaken. The only exceptions to this rule are a sum of 212*l.*, for providing a public office for the colonial secretary (who, in the absence of all such accommodation, now uses a portion of the public council-room), an export shed at the Colombo Wharf, a matter of much importance to the public; a salt store at Putlam, the late temporary building having been consumed by fire; a new iron light-house at Gallie, and offices for the Government Agent at Trincomalee, the present building being ruinous, and condemned.

The committee having already called the attention of the Governor and Council to the disproportionate expense of the persons employed in the civil engineer's department, when considered in relation to the works to be performed, and the outlay they are to superintend; a similar remark would apply to the cost of superintendence for works undertaken by the military departments, though from the want of detailed information, the committee are not in a condition to advert to them more particularly: one item, however, is indicative of a room for economy in this regard; the expenditure, exclusive of repairs for military purposes, at Kandy during the next year is provided for by a vote of 15*l.*, and yet at Kandy, in addition to the pay of an officer of the Royal Engineers, Major Baddely, the committee find that the salaries of the superintendents, a master mason, a carpenter, and smith, amount to 331*l.* per annum.

CLAUSE 15.

Your committee have already offered some general observations on the roads, and will proceed briefly to bring under your consideration the votes for some of the principal lines of road.

FOR ORDINARY AND NECESSARY REPAIRS OF ROADS.

*Repairs of Roads within Towns, 4330*l.**

Of this vote 1600*l.* is for the town of Colombo, to be expended under the town surveyor, and the remainder for the other principal towns in charge of the commissioner of roads.

*Roads from Colombo to Kandy, 10,000*l.**

The committee apprehend that this vote will not be sufficient for the repair of the road during the whole year. It has suffered so severely from the very unusual amount of rain and the heavy traffic, as to be now in a very bad state.

The committee learn that the estimates proposed to be charged against this vote are—

For flying parties on the whole road, 2000*l.*

For forming depôts of stone and gravel, 2000*l.*

For repairing the road between the bridge of boats and the 10th mile-stone, 2690*l.*

For balances of estimates in progress from the 27th to the 29th, from the 43rd to the 46th, and from the 62nd to the 68th miles, 1,870*l.*

*For the Road from Colombo to Galle, 1000*l.***For the Road from Ambepusse by Kornegal to Kandy, 1000*l.**

These votes are required for keeping the two lines in due repair throughout the year.

*For the Road from Kandy to Nuwera Ellia, 2000*l.**

This vote is proposed to be mainly applied to the widening and improving of the part between Peradenia and Gampola, which is in bad order, and inconveniently and dangerously narrow for the amount of traffic on it.

From Gampola to beyond Rambodde the road is in very good order, and the committee do not think that the colony is in a condition at present to expend money higher up the line.

The remainder of the votes for repairs do not appear to call for particular notice.

FOR OPENING AND IMPROVING ROADS ALREADY BEGUN.

*Road along the Beach at Colombo, 60*l.***Improving the Streets of Colombo, 50*l.**

The sum of 60*l.* has been granted to the town surveyor to complete the road, retaining wall and cabook wall between the old Portuguese bastion and Gentoo burial-ground. As soon as the state of the public funds will authorize the step, your committee would urge that the road in question should be continued to the fort. This step is at once demanded by the increasing traffic through the main street of the Pettah, by the necessity of giving an additional outlet from the fort towards Muttwall and the mouths of the two Negombo canals, and also on sanitary grounds. When completed, this new road would be one of the greatest improvements that has ever been effected in the close and ill-ventilated Pettah of Colombo.

For the Parish Roads in Jaffna, 300l.

This vote is proposed for the continuation of the practice which has now prevailed there for some years, with much advantage, of gradually reclaiming and improving the old parish roads.

The Road from Peradenia to Dellotte, £1,000.

The Council are aware, that in former years, a considerable sum of public money was expended upon this line, in addition to the subscriptions of parties interested in it. Several miles have been made in a very efficient manner; but in consequence of impediments at certain points, the whole has, up to this time, remained nearly useless. The subscribers have expressed their readiness to co-operate with Government in further efforts to open the road; and this vote has therefore been introduced, upon the understanding, that the part already opened, shall be completed, and two bridges built, before any money is applied to the extension of the line. When this part has been opened for carts, arrangements will be made for imposing a toll.

For the Road from Yattiantotte to Gampola, £7,794.

So considerable a vote has been proposed in the Draft Ordinance for the construction and improvement of the road from Yattiantotte to Gampola, that the committee have felt it to be their duty to ascertain and report to the Council, as clearly as possible, the amount of public money already expended upon that line, its present condition, the amount which will still be required for its thorough completion, and the manner in which the Government proposes to effect the object.

The committee are of opinion, that so large a sum has already been expended upon this work, as to preclude any further question upon the propriety of its completion. Indeed, they entertain no doubt of the great ultimate utility of it; but they feel bound to notice two great errors into which the Government and the Council have hitherto fallen, in assigning funds for the public works of the colony. One, that they have calculated upon the formation of roads for an outlay far below what has ultimately been proved to be necessary. The other, that they have granted votes without, in the first instance, insisting upon positive information as to the cost of a work from its commencement to its completion.

They hope that these errors will, for the future, be carefully avoided; and, on the present occasion, they will endeavour to remove all further doubt as to the expenditure still to be incurred for the completion of the line under consideration.

The Commissioner of Roads has prepared such very detailed estimates and plans of the work to be done, that the Government may, in the opinion of the committee, hold him strictly responsible for the due performance of what he has undertaken.

The committee find that the whole distance, as shown in the plans of the Commissioner of Roads, from Yattiantotte to Gampola, is 40½ miles. The work appears to have been undertaken in 1841, and the sums expended by the Commissioner of Roads, upon the votes granted from time to time, have been as follows:—

In 1841	£ 604
1842	2,819
1843	642
1844	1,967
1845	2,012
1846	7,332
1847	9,960
	£ 25,336

including what will probably be expended up to the end of this year. To this must be added 1,389l. expended by the civil engineer upon bridges. The entire outlay has, therefore, been 26,725l.

Your committee will not here enter into precise detail as to the exact state of every part of the road, for which they would refer the Council to the reports of the Commissioner of Roads; but its condition may be generally stated, they believe, as follows.

The whole line has been traced and opened, so as to admit of being travelled by horses and bullocks, though with difficulty, and risk of detention at some places.

The first 12 miles from Yattiantotte may be almost said to be completed, and in a very efficient manner, with the exception of small portions, for which provision has been made in the proposed estimates. The distance is quite passable for carts, and a large bridge has been built over the Bibhool Oya. From the 12th mile to Ambegamme, on the 24th mile, the whole, or nearly so, has to be opened for carts. From Ambegamme to Gampola, the whole has been opened for carriages, or will be so, by the end of this year, with the exception of certain bridges; but the greatest difficulties are experienced in wet weather, owing to the peculiar nature of the soil through which the road has been carried, and which renders it absolutely necessary that a part of it should be immediately metalled, in order to make it really available throughout the year; and, indeed, for the preservation of what has been already made. The estimates of the Commissioner of Roads for its entire completion, amount to 34,091l., to which must be added 854l. for completing two bridges in progress, under the civil engineer, and the cost of a bridge over the Kahawatura river, near Ambegamme, for which a ford will do for the present, and for which an estimate has not yet been framed. The votes proposed for the ensuing year, amount to 8,684l. for the Commissioner of Roads, and

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8027. for the civil engineer. The sum assigned to the former officer, is calculated to provide employment through the whole year for three divisions and one sub-division of pioneers, with 12 elephants, the value of whose labour will be applied as follows:—8907. to the general repair, throughout the year, of all that has been completed; 1,5507. for Macadamizing the 21st 22nd, and 23rd miles (measured from Kandy), and completing two masonry bridges between Nawolepetiya and Ambegamme; and the balance of the vote for opening the road upwards from Yattiantotte, which, it is hoped, will be carried as far as the 20th mile, and building a bridge over the Paddipola Ella, on the 21st mile from that place.

The committee have further made it their business to ascertain how far it is probable that a due return will be made for so heavy an expenditure of the public money; and they find, that at different points on the line, various branch roads are in course of being opened, leading into very important districts. There is also reason to suppose that a great proportion of the general traffic with the interior, may be diverted from the Kandy road to the new line. The committee feel that this would be attended with many advantages, both as tending to diminish the pressure upon the Kandy road, the repair of which is annually becoming more difficult, and also by keeping down the cost of cart hire, in which the scarcity of food for cattle would otherwise occasion a considerable increase. They are also informed, that the Government has issued a Proclamation for establishing a toll at the Bibhool Oya bridge, to which the road is now open; and that they propose to introduce an Ordinance for levying tolls upon all goods landed or shipped at Yattiantotte. A toll has been established at Gampola, another will be at Nawolepetiya when the road to it from Gampola is really available, and another will be ultimately established at Ginigathena. A large return may be expected from these, and the committee feel justified, with the explanation thus given, in recommending the money to be granted.

For the Road from Nawolepetiya towards Dimboola, £1,000.

The committee propose the introduction of this vote on the suggestion of the Colonial Secretary. They learn that the proprietors of several estates through or near which it has been carried, have already expended 3,7007., and have intimated their intention of laying out immediately 1,0007. more, if they can obtain a promise of aid from the Government to the extent of 1,0007. during next year.

For the whole of this sum, a cart road will be opened and made really available to the length of about nine miles. The Committee, therefore, hope that the Council will accede to the proposal; and would recommend, that as soon as the road is open, a toll should be established for the benefit of Government and the subscribers, in proportion to their relative outlay.

FOR OPENING NEW ROADS.

For the Road from Manar to the Central Road from Jaffna to Dambool, £1,500.

The Council are aware that the only line of communication from the West Coast to the interior, between Jaffna and Putlam, is that from Aripo to Anarajapoor. It is now, however, generally admitted, that that line is altogether, or very nearly, useless, as neither food, shelter, nor water, is procurable for more than three-fourths of the distance. There is, therefore, reason to advocate its abandonment at once, so far as any expenditure of public money is involved, and to take steps for opening the line now proposed, upon the recommendation of the Government Agent of the Northern Province and the Commissioner of Roads, which passes through a well-inhabited country, and which it is hoped may tend greatly to the introduction and establishment in those districts of settlers from the continent of India.

For the Road from Degaroelle to Pantura, £400.

It is unnecessary for the committee here to enlarge upon the advantages to be derived from the alteration of the road to Galle, in the neighbourhood of Pantura, and the substitution of a bridge at Degaroelle for the existing Pantura Ferry. The proprietors of the land on the left bank of the river, have undertaken to make four miles of new road for 8007., and to build a bridge for 5007.; of which they will require half during 1848, and the remainder in 1849. Provision has accordingly been made in the Ordinance for 1848. The committee cannot but congratulate the Council and the public on the removal of the greatest obstacle to the communication between Colombo and Galle, by the completion of the Caltura bridge, which will be opened on the 1st of January. The arrangement now submitted, provides for the removal of another impediment, and they entertain a hope that measures will be speedily taken for the construction of bridges at Bentotte and Giundurah.

CLAUSE 17.

The votes for Miscellaneous Services to the Departments are, in general, sufficiently explained by the terms in which they appear in the Ordinance. They include provision for local surveys; the care of canals (under which head 4007. is due as the balance of a former contract between Caltura and Pantura); for the prosecution of a geological survey of the island; for the care of migratory labourers; the education of students at the College of Calcutta; the destruction of elephants, chetas, and beasts of prey; and other local purposes, to be specified to the satisfaction of the Governor, previously to the issue of any authority for the expenditure of the vote.

CLAUSE 19.

The Commissariat.

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In relation to this important and costly department, the committee entertain a lively hope to see its early reduction, if not to purely military purposes, at least to such a limited sphere of civil functions, as it may be found impracticable to provide for by private enterprise or the general resources of the colony. For example, an extension of the system of contracts for public works, should the present experiments be found encouraging, might enable the Government to dispense with the collection of materials for building, tools, and other requisites. The committee are likewise of opinion, that greater economy might possibly be introduced into the existing system, so long as it is to continue; as it has been intimated to them, that in some instances, materials for public works could be procured on more advantageous terms, than they are now furnished by the Government contractors.

In concluding these observations, the Committee beg to express their opinion in favour of the greatly improved form into which the expenditure for the coming year has been digested in the Ordinance now under consideration, which they think will be found much more lucid and satisfactory, than the shape in which the votes in Supply Ordinances have hitherto been brought before the Legislative Council.

J. EMERSON TENNENT,
C. J. MACCARTHY,
P. E. WODEHOUSE,
W. C. GIBSON,
F. SAUNDERS,
G. CRABBE,
J. ARMITAGE.

(No. 36.)

No. 9.

No. 9.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON, to
Earl GREY.

Pavilion, Kandy, February 9, 1848.

(Received March 31, 1848.)

MY LORD,

Answered June 15,
1848, No. 234, page
329.

ON a careful examination of the various sources from which the revenue of this colony is derived, with a view to ascertain how far a probable increase in its amount might be obtained, with the smallest degree of pressure upon the community, and with the largest amount of concomitant advantages, it appeared to me, in concert with my Executive Council, that an entire revision of the stamp duties, and the consolidation and improvement of the various provisions of the existing Ordinances upon the subject, would afford an equitable means of attaining, in some degree, the desired object. Although the revenue raised from these sources has already been considerable (as will be apparent from an inspection of the subjoined table, showing the annual revenue derived from stamps during the last four years), I have had reason to believe that the increase has not been commensurate with the yearly increasing business, both commercial and judicial, of this colony, nor with the augmented resources of the community generally. Other grounds, moreover, were to be found in the state of the law itself, and of its administration, as well as in the admitted necessity for amending the provisions of the existing Ordinances, and adapting them more perfectly to the advancing condition of the people, which induced me to lay before the Legislative Council the draft of an Ordinance calculated to effect these objects.

I have now the honour to transmit to your Lordship, copy of the Ordinance No. 2, of 1848, "To repeal the existing stamp duties, and to impose certain other duties in lieu thereof," which was finally passed in Council on the 31st of January, but which is not to come into operation until the 1st day of June next.

1.

In submitting this Ordinance for your Lordship's approval, and for Her Majesty's confirmation, it becomes my duty to offer a few observations upon its provisions, and upon the alterations of and additions to the former Ordinances which have been introduced into it.

With a view, however, to present in a clearer light for your Lordship's consideration the various changes which it is proposed to make, I would beg leave to offer some preliminary remarks upon the Schedule of Duties, the levying of which it is the principal object of the Ordinance to regulate.

The Schedule is, for the sake of convenience, divided into three parts: of these the first comprises the duties on instruments of conveyance, contract security for money, deeds in general, and other matters not falling under the subsequent heads. The second part comprises the duties on proceedings in the

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Supreme Court and other courts of law. The third part comprises the duties on testamentary proceedings, probate of wills, and letters of administration. The following instruments, which were heretofore free of duty, will henceforth be charged with stamps:—

1. Affidavits not made for the immediate purpose of being used in courts of justice.
2. Appraisements.
3. Articles of clerkship.
4. Awards.
5. Bills of lading.
6. Charter parties.
7. Power of substitution or surrogation under a letter of attorney.
8. Letters of *Venia Otatis*.
9. Licenses to deal in fire-arms.
10. Licenses to possess fire-arms.
11. Protest.

In addition to these new duties, a general revision has been made of the former duties, with the object both of simplifying the tables and of increasing the revenue, without adding to the duty payable on instruments of small amount. By way of illustration, I subjoin copies of the old and of the new tables of stamp duties on agreements which are as follows:—

STAMP DUTIES ON AGREEMENTS.

Old Table.				New Table.			
On	£1 and under	£2	£. s. d.	Of the value of	£1 and not exceeding	£2	£. s. d.
2	, ,	3	0 0 1	, ,	2	5	0 0 3
3	, ,	5	0 0 2	, ,	5	10	0 0 6
5	, ,	10	0 0 6	, ,	10	20	0 1 0
10	, ,	20	0 1 0	, ,	20	50	0 2 0
20	, ,	30	0 1 6	, ,	50	100	0 4 0
30	, ,	40	0 2 0	, ,	100	200	0 6 0
40	, ,	50	0 2 6	, ,	200	300	0 7 6
50	, ,	60	0 3 0	, ,	300	500	0 8 6
60	, ,	80	0 3 6	, ,	500	1000	0 12 6
80	, ,	100	0 4 0	, ,	1000	2000	0 15 0
100	, ,	150	0 5 0	, ,	2000	3000	1 5 0
150	, ,	200	0 6 0	And for every additional £1000, or part thereof, a further progressive duty of . . .			
200	, ,	300	0 7 0				1 0 0
300	, ,	500	0 8 0				
500	, ,	1000	0 10 0				
1000	, ,	2000	0 15 0				
2000	, ,	3000	1 0 0				
3000	, ,	5000	1 6 0				
5000 and upwards	, ,		1 10 0				

The rate of duty has thus been slightly raised, according to the increasing value of the contract, and where it exceeds 3000*l.*, the rate of duty has been made to bear a just proportion to that imposed on instruments of smaller amount. The other tables throughout the schedule have been framed upon similar principles, although by the former Stamp Act, receipts, releases, or acquittances given for or upon the payment of money, were required to bear an *ad valorem* stamp duty, the practice of giving or requiring receipts, appears to have long fallen entirely into disuse. A similar provision has been introduced into the new Ordinance, with a slight modification of the table, and I am not without hope that by strictly enforcing this provision, an advantageous addition to the revenue from stamps may be obtained. With regard to the stamps on commercial proceedings generally, I regret to observe, that the depressed state of the mercantile community at the present time leads me to entertain less sanguine hopes of any considerable increase from this source than would probably have been the case at more prosperous periods.

With regard to the stamps on judicial and testamentary proceedings, contained in the 2nd and 3rd parts of the Schedule, few observations appear to me to be requisite. The changes which have been introduced have been submitted to, and received the concurrence of the judges. Hitherto parties who have availed themselves of the benefits of the highest legal tribunal in the island, the Supreme Court, contributed nothing by means of stamp duty to the support of this costly institution. But it would, I think, be difficult to assign any sufficient reason for continuing exemptions to suitors in the superior Court which are not

permitted to litigants in the inferior tribunals. Indeed I have heard no other grounds alleged for so unequal a privilege than the supposed difficulty or trouble of collecting it. Henceforth, therefore, certain proceedings in the Supreme Court will be subjected to the payment of stamp duty.

With regard to the District Courts, the principal alteration has been, that the rate of duty payable on sums above 500*l.* has been increased. The following table of stamp duties levied in the district courts will shew the nature of the principal alterations.

STAMP DUTIES in the DISTRICT COURTS.

<i>Old Scale.</i>				<i>New Scale.</i>			
		£.	s. d.			£.	s. d.
Under £2	.	0	0 4	Under £10	.	0	1 6
" 5	.	0	0 8	" 30	.	0	3 0
" 10	.	0	1 6	" 75	.	0	4 0
" 20	.	0	2 6	" 150	.	0	6 0
" 40	.	0	3 6	" 500	.	0	9 0
" 100	.	0	5 0	" 1000	.	0	12 0
" 250	.	0	6 0	" 5000	.	0	15 0
" 500	.	0	8 0	£5000 and upwards.	.	1	0 0
£500 and upwards	.	0	10 0				

With respect to the Courts of Requests, some alteration became requisite, in consequence of the establishment of Courts for cases under the value of 5*l.*, since the period when the old tables of the stamps for the District Courts were framed. A corresponding modification of duties was therefore called for. Another improvement has also been introduced with a view to simplification, and to obviate the many mistakes and needless confusion which arose from the use of different stamps of many various rates. A single rate of duty, moderate in amount, has been imposed on all instruments used in the same Court. The following table of duties to be used in cases under 2*l.*, will show the difference alluded to.

STAMP DUTIES levied in COURTS of REQUESTS in cases under £2.

<i>Old Scale.</i>				<i>New Scale.</i>			
		Under £2.				Under £2.	
		£.	s. d.			£.	s. d.
Summons to Defendant	.	0	1 0	Affidavit.	.	}	0 0 9
Affidavits	.	0	0 6	Bail Bond	.		
Warrant of Arrest	.	0	1 0	Commitment	.		
Recognizance of Bail Bond	.	0	1 0	Copy of any matter of recor	.		
Sequestration	.	0	1 0	Exhibit	.		
Translation	.	0	0 6	Notice of Interlocutory	.		
Exhibit	.	0	0 3	Judgment	.		
Subpoena	.	0	0 6	Petition of review	.		
Decree	.	0	0 6	Subpoena	.		
Execution against Property	.	0	0 6	Summons	.		
Ditto ditto Person.	.	0	0 6	Translation	.		
Commitment	.	0	0 3	Warrant of Arrest	.	}	
Petition of review where no witnesses heard.	.	0	0 9	" Attachment	.		
Petition of review where witnesses have been heard	.	0	1 6	" Execution	.		

Minor improvements have been introduced into various parts of the Schedule which it would be both tedious and unnecessary for me to particularize. I have little doubt that an increase of revenue will be one, at least, of the important results of its adoption. And I would here beg leave to observe, that the drafts of several proposed Ordinances are already in circulation, which will have the effect of introducing a system of licenses for various purposes throughout the island, upon which a stamp duty will be payable, and which will be included in a distinct schedule, to be appended to each of the separate Ordinances. With these remarks upon the alterations introduced into the scale of stamp duties generally, I proceed to offer a few observations upon some of the provisions of the Ordinance itself.

The 5th section contains a provision by which when an instrument not "duly stamped" is tendered in evidence, the Court may allow the hearing of the case to stand over for a reasonable time, in order that the party tendering it may get it properly stamped; or if the Court deem it expedient the trial may be proceeded with, the Court suspending its judgment for a reasonable time, in order that the instrument may be produced "duly stamped." This, I am informed, is in accordance with the practice of the Courts of Equity in England, and will be found highly advantageous in the colony. Indeed the course here prescribed has been already followed in a few instances by the District Courts;

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but, from the want of any established practice in this respect, suitors have sometimes been compelled to resort to the expensive remedy of an appeal to the Supreme Court, and delays and inconveniences have occurred which, in future, will be easily provided against.

The 6th section provides that unstamped, and insufficiently stamped documents may be properly stamped on payment of a fine of 10*l*. The former law only provided that instruments insufficiently stamped might be duly stamped on payment of a penalty equal to twenty times the amount of the deficiency in the value of the original stamp. But it is obvious that much hardship must have resulted from the exclusion of the holder of an unstamped document from all redress, and the penalty for holding an insufficiently stamped document was in some cases exceedingly onerous: so much so, that a case has recently occurred in which the sum payable as a penalty, in order to rectify the error in the stamp of an instrument which, through mistake, had been insufficiently stamped, amounted to not less than 195*l*. A fine of 10*l*, which is half the amount levied as penalty in England in a similar case, has been judged sufficient in this colony, to afford adequate protection.

A further provision is made by the 8th Section in accordance with the English law, by which (with certain exemptions) instruments which by accident, or by unavoidable circumstances, and without any fraudulent intention, have been written on unstamped, or insufficiently stamped paper, may be "duly stamped" within 12 months without any penalty. A provision of a like nature has been made with regard to bills of exchange and promissory notes (not having been negotiated) which may be brought to be stamped within eight days after the date thereof. The circumstances of this colony are so different from those of the mother country, that it appeared to the Council that a clause of this nature would be very much required in the local Ordinance, although it is not contained in the English Stamp Acts.

By the 13th and 14th clauses, provision has been made with respect to spoiled stamps, in conformity with the English law upon the subject, the want of which in the former Ordinance was much complained of.

The 15th Section is one of much importance, as tending to provide a further protection to the revenue derived from stamps against many of the frauds which have hitherto been extensively practised. By the law of the colony, all conveyances, mortgages, and other deeds affecting landed property, must be executed before a notary; and, as a matter of practice, most other deeds are executed by the same officer, who is bound at the end of every month to file in the Court of the district in which he practises, a duplicate of all deeds executed before him. By the clause now under consideration, a penalty of 100*l*. is imposed upon him for wilfully writing or attesting any instrument not duly stamped. A penalty of 20*l*. is likewise imposed upon any person wilfully executing, or being an attesting witness to any notarial deed not duly stamped. In the Schedule to the Ordinance, provision is made for levying a different rate of stamp duty upon the original and upon the duplicate of all notarial instruments; the principal stamp duty being levied upon the *duplicate*, which the notary is compelled to file in the Court. By this means an opportunity will be afforded of periodically examining the duplicate deeds (which were formerly written only on blank paper) in order to ascertain, if necessary, whether the proper stamp duty has been paid. A stamp duty of only small amount is imposed upon the original instrument, the object being chiefly to secure the execution of important documents upon paper of durable quality; whereas when stamped paper was not required to be used, none but the most common and perishable kind was employed.

Another important provision is contained in the 15th clause, which was unanimously approved of by the Council, to the effect that where any reasonable doubt or difficulty exists as to the proper stamp duty chargeable upon any instrument, the judgment of the Court may be summarily obtained upon the point by the parties interested *before* the execution of the instrument itself. I trust that this enactment will meet with your Lordship's approval, because there are many reasons which render a protection of this kind very desirable at remote stations.

From the 17th to the 21st clauses, provisions have been introduced for enforcing the stamp duty on receipts or acquittances, similar to those contained in the English Stamp Acts. I have already remarked upon the habitual evasion of this duty which prevailed throughout the colony, but I have every expecta-

tion that the present enactments will be sufficient to enable me to derive an adequate revenue from this source for the future.

From the 22nd to the 25th clauses, provision is made for levying a stamp duty upon probates, in accordance with the English law. But it is necessary for me here to request your Lordship's attention to the fact, that in this colony the distinction between real and personal estate is unknown in law; the whole of the deceased's property, moveable and immoveable, is administered by the executor or administrator under the authority of the Court. Provision has been made that the amount of debts due by the deceased upon mortgage, or other notarial bonds, should be deducted from the amount of the estate chargeable with probate duty. But it was not thought advisable to extend the exemption further, because it could scarcely be doubted that in this colony fictitious debts would otherwise be frequently brought forward in order to avoid altogether, or to reduce considerably the duty payable on the probate.

The remaining provisions of the Ordinance, relate principally to the licensing of persons to vend and deal in stamps, with a view both to afford increased facilities to the public for procuring stamps and to prevent frauds, as well as to regulate generally the sale of stamps throughout the colony. It will be unnecessary for me to dwell upon the minor alterations and improvements which, it is hoped, may be effected by the operation of this Ordinance. I cannot doubt that many advantages will result to the public from its adoption, and I have every reason to believe that the revenue will be increased without in any way adding to the real burdens of the people. I believe, that the measure as a whole, is well calculated to secure the objects for which it has been enacted, and I confidently trust that it will receive your Lordship's entire approval and the confirmation of Her Majesty.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

P.S. I enclose for your Lordship's information, a copy of the Report of the Sub-Committee of the Legislative Council upon the Ordinance, "To Repeal the Existing Stamp Duties and to Impose certain other Duties in lieu thereof."

2.

APPENDIX A.

RETURN showing the Amount of Revenue derived from Stamps in each of the last four Years.

	Amount of Judicial Stamps.			Amount of Blank Stamps.			Total Amount.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
In 1844 . .	13,642	13	4	5,599	12	1½	19,242	5	5½
In 1845 . .	11,418	18	10½	10,923	17	4½	22,342	16	3½
In 1846 . .	10,280	0	9½	12,086	8	1	22,366	8	10½
In 1847 . .	10,840	15	11	13,838	8	10½	*24,679	4	9½
Total . .	£ 46,182	8	11	42,448	6	5½	88,630	15	4½

* Exclusive of the amount received in the Southern and North-Western Provinces in November, 1847, of which no accounts have yet been received.

(Signed)

P. E. WODEHOUSE,
Acting Auditor-General.

Enclosure 1 in No. 9.

Encl. 1 in No. 9.

ORDINANCE enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council.

TORRINGTON.

No. 2.

To repeal the existing Stamp Duties, and to impose certain other duties in lieu thereof.

WHEREAS it is expedient to make a permanent addition to the public revenue by means of stamp duties; and it is also expedient to consolidate and amend the laws relating to stamps.

Preamble.

1. It is therefore hereby enacted by the Governor of Ceylon, with the advice and consent of

Repeal of former laws.

L

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the Legislative Council thereof, that the Ordinance No. 6, of the year 1836, entitled "for revising the Stamp Duties, and making provision for the general use of Stamps throughout the Colony;" and the Ordinance No. 7, of the year 1841, entitled "for making provision for the use of Stamps in certain judicial proceedings;" and the 17th Section of the Ordinance No. 10, of the year 1843, entitled "an Ordinance for the establishment of Courts of inferior civil jurisdiction, to be called Courts of Requests;" and so much of the 18th clause of the Ordinance No. 7, of the year 1840, entitled "to provide more effectually for the prevention of Frauds and Perjuries," as relates to the stamp duty on duplicates or attested copies of deeds or instruments, shall be and the same are hereby repealed, except in so far as any previous regulations are thereby repealed; and except as to any offences committed, or any fine or penalty incurred, or any right accrued, previously to the time when this Ordinance shall come into operation, unless where in any case other provision is hereafter made; and except in so far as any of the said above-recited Ordinances hereby repealed, shall relate to or affect the validity of any instrument thereby required to bear a stamp.

Duties specified in Schedule to be levied.

2. And it is further enacted, that from and after the commencement of this Ordinance the several instruments mentioned and described in the Schedule hereunto annexed, (except those standing under the head of exemptions,) shall be written or printed on paper or other material stamped in such manner as to express or denote the duties or sums of money charged thereon under this Ordinance, and which duties are set down in figures against the same respectively, or otherwise specified and set forth in the said Schedule, and that the said Schedule, and all the provisions, regulations, and directions therein contained, with respect to the said stamp duties, and the instruments charged therewith, shall be deemed and taken to be part of this Ordinance, and shall be read and construed as if the same had been inserted herein at this place, and shall be applied, observed, and put in execution accordingly.

Stamps rendered useless by this Ordinance may be exchanged.

3. And it is further enacted, that it shall be lawful for all persons having in their possession any stamped paper, or other material not made use of, and which by the operation of this Ordinance shall have been rendered unfit for the instruments for which the same was originally designed, to send the same to the Stamp Office in Colombo, at any time within twelve calendar months from the time when this Ordinance shall come into operation; and it shall be lawful for the Colonial Secretary to cause the same to be cancelled, and to deliver out in lieu thereof other stamps of the same kind and description, as near as may be, and of equal value on the whole with the stamps so returned: or otherwise at the discretion of the said Colonial Secretary, to cause any additional stamp or stamps to be impressed on any such paper or other material to make up the full amount of the duty hereby charged on the instruments for which the same was designed, on payment to the Commissioner of Stamps of the duty or duties denoted by such additional stamp or stamps.

All instruments not duly stamped inadmissible in evidence.

4. And it is further enacted, that no instrument whatsoever liable to be stamped as directed by this Ordinance shall be pleaded or given in evidence in any Court, or admitted in any Court to be good, useful, or available in law or equity, unless the same be duly stamped.

In certain cases Court may postpone trial to allow suitors to get instruments stamped.

5. And it is further enacted, that whenever in any suit or action depending in any of the courts in this island any instrument whatever shall be tendered, but which cannot be received in evidence by reason that such instrument is not duly stamped, it shall be lawful for the Court in which such suit or action shall be depending, if the instrument may lawfully be stamped under any of the provisions of this Ordinance on payment of the proper stamp duty and penalty, and if such Court shall in its discretion see fit so to do, to allow the hearing or the further hearing of the said suit or action to stand over for a reasonable time, in order to enable the party tendering such instrument in evidence to have the same duly stamped, or otherwise to allow the trial of the said suit or action to proceed, and to suspend the judgment of the said Court thereon for such time as to the said Court shall appear reasonable, in order to enable the said party to produce such instrument to the Court duly stamped.

Instruments unstamped, or on insufficient stamps, may be stamped on payment of a penalty.

6. And it is further enacted, that where any paper or other material on which any matter or thing (except bills of exchange, promissory notes, or other notes, drafts or orders, and except in those cases in which other provision is hereinafter specially made), shall have been written or printed, shall be brought or sent to the Commissioner of Stamps to be stamped after the same shall have been executed, the same not having been stamped with any stamp, or having been stamped with a stamp of less value than is by law required, and the person producing the same is desirous of having the same duly stamped, then and in every such case it shall be lawful for the said Commissioner of Stamps on payment of the duty by law payable for such paper or other material in respect of the instrument matter or thing written or printed thereon, and a penalty of ten pounds only for every sheet or piece of paper or other material, and notwithstanding the penalties thereupon under any former Ordinance may have accumulated to a larger sum than the said sum of ten pounds, to cause the said instrument to be sent to the Colonial Secretary in order that the same may be duly stamped: and every instrument so stamped as aforesaid shall have and be deemed of the like force and validity in the law as if the paper or other material so stamped had been duly stamped before such instrument matter or thing had been written or printed thereon, any former law or Ordinance to the contrary notwithstanding.

Instruments may be sent to the Government Agent to be stamped.

7. And it is further enacted, that where in any case it shall be inconvenient to any person to take or send any instrument to the Commissioner of Stamps to be stamped under any of the provisions of this Ordinance, or to remit to such Commissioner the amount of the stamp duty, and of any penalty to which he may be liable, it shall be lawful for any such person to bring or send the said instrument to the nearest Government Agent, or Assistant Government Agent, and to pay to him the amount of such duty and penalty. And the said Government Agent, or Assistant Government Agent, shall thereupon transmit such instrument, together with a cer-

tificate under his hand of the payment of such sum or sums of money to the Commissioner of Stamps, who shall thereupon send the said instrument to the Colonial Secretary, in order that the same may be stamped with the proper stamp, and the same shall thereafter be returned by such Commissioner to the said Government Agent, or Assistant Government Agent, to be delivered to the party from whom the same was received.

8. Provided always and it is further enacted, that in any case where it shall be fully and clearly made to appear to the Commissioner of Stamps upon affidavit or affirmation or otherwise to his satisfaction, that any instrument whatsoever (except bills of exchange, promissory notes, or other notes, drafts or orders, and except receipts, discharges and acquittances), required by this or any former Ordinance to be written or printed on stamped paper or other material, hath been written or printed on unstamped paper or other material, or on paper or other material not duly stamped with a stamp of the value by law required, either by accident or inadvertency, or from urgent necessity, or unavoidable circumstances, and without any intention in any party or parties thereto to evade the stamp duties imposed by law, or to defraud Her Majesty thereof, and such instrument shall be brought or sent to the Commissioner of Stamps to be stamped within twelve calendar months after the making or execution thereof, it shall be lawful for such Commissioner of Stamps, with the previous sanction and under the authority of the Governor, to remit the penalty payable on stamping such instrument, or any part thereof as shall be deemed expedient. Provided further, that in any case where it shall be made to appear to the said Commissioner of Stamps in manner aforesaid, that any bill of exchange, draft, or order, or any promissory note, hath been written or printed on unstamped paper or other material, or on paper or other material not duly stamped with the stamp of the value by law required, from urgent necessity or unavoidable circumstances, and without any intention in the drawer or maker thereof to evade the stamp duties imposed by law, or to defraud Her Majesty thereof; and such bill, draft, order or note, shall not have been accepted, or indorsed, or paid, and shall be brought or sent to the Commissioner of Stamps to be stamped within eight days from the date thereof, it shall be lawful for such Commissioner of Stamps on payment of the duty by law payable for such paper or other material in respect of the instrument written or printed thereon, to cause the said bill, draft, order, or note to be sent to the Colonial Secretary in order that the same may be duly stamped; and every such instrument so stamped as aforesaid shall have and be deemed of the like force and validity in the law as if the paper or other material so stamped had been duly stamped before such bill, draft, order, or note, had been written or printed thereon, anything in this Ordinance to the contrary notwithstanding.

9. And it is further enacted, that from and after the commencement of this Ordinance all instruments for or upon which any stamp or stamps shall have been used of an improper rate of duty, but of equal or greater value in the whole with or than the stamp or stamps which ought regularly to have been used thereon, shall nevertheless be deemed valid and effectual in the law.

10. And it is further enacted, that all writings, matters, and things in respect whereof any stamp duty shall be payable and which shall be written or printed after the commencement of this Ordinance, shall be written or printed in such manner that some part thereof shall be either upon or as near as conveniently may be to the stamps which shall, in pursuance of this Ordinance, be placed on the paper or other material whereupon the same shall be written or printed; upon pain that the person who shall write or print, or cause to be written or printed, any such writing, matter, or thing, contrary to the tenor and true meaning hereof, shall for every such offence be liable to a penalty not exceeding five pounds.

11. And it is further enacted, that it shall not be lawful to attach or annex to any instrument whatever, liable to be stamped as directed by this or any former Ordinance, any stamped paper or other material, so as to make up either wholly or in part, the amount of duty required by law thereon; nor shall such amount of duty be by such means deemed or held to be made up; but every paper or other material forming or intended to form part of any instrument liable to be stamped as aforesaid, shall have written or printed thereupon the whole or some part or portion of such instrument.

12. And it is further enacted, that if any person shall fraudulently use, join, fix, or place, for, with, or upon any paper or other material any stamp which shall have been cut, torn, or removed, from any other paper or other material: or if any person shall fraudulently erase, cut, scrape, discharge, or get out, of or from any stamped paper or other material, any name, sum, date, or other matter or thing, therein written, printed, or expressed, with intent to use any stamp then impressed or being upon such paper or other material, or that the same may be used for any instrument whatever, in respect whereof, any stamp duty is or shall, or may be, or become payable, then and in every such case every person so offending, and every person knowingly and wilfully aiding, abetting, or assisting any person in committing any such offence, and being thereof lawfully convicted, shall be liable to transportation for any term not less than seven years, or to be imprisoned with or without hard labour for any period not exceeding five years.

13. And it is further enacted, that all persons who shall have in their possession any stamped paper or other material written upon, and inadvertently and undesignedly spoiled, obliterated, or by any means rendered unfit for the purpose intended before the same is executed, and which shall not have been used for any other purpose, or which shall have been used for any instrument not fully written, or not signed by any party, or any stamped bills of exchange or promissory notes, which have been signed on behalf of the drawers, but which have not been delivered out of their hands to the payees therein named or any person on their behalf, or have been deposited with any person as a security, or have been any way negotiated, and which bills of

Where instruments (except bills, notes, receipts), &c., have been written on improper stamps without fraudulent intent, the penalty shall be remitted.

Bills, and notes written on unstamped paper, without fraudulent attempt, may be stamped before acceptance within eight days after date.

Instruments having wrong stamps, but not of sufficient value, to be valid.

All writing to be either on or near the stamp.

Stamps not to be annexed to instruments.

Punishment on fraudulently affixing stamps, or erasing names, dates, &c.

Spoiled stamps allowance for, &c.

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exchange have not been accepted or tendered for acceptance; may within two calendar months after the date of such instrument, or after the writing or signing of the same, if it bears no date, bring or send such stamped paper or other material, bill of exchange, or promissory note into the Stamp Office in Colombo, and if it shall appear to the Commissioner of Stamps, upon inspection of the document, that the stamp whereon the same has been either wholly or partially written, has been spoiled or rendered useless before the same was executed or signed, or before any such bill of exchange or promissory note was made use of in any such manner as aforesaid, and if all such grounds of relief as are herein before mentioned are likewise fully proved by affidavit or affirmation to the satisfaction of such Commissioner of Stamps, then and in any such case it shall be lawful for the said Commissioner of Stamps to receive back such spoiled stamps, and to cancel the same, and to give other stamps of the like amount and description in lieu thereof.

Commissioner authorised to refund in money the amount of stamps spoiled or rendered useless.

14. And it is further enacted, that in any case in which the Commissioner of Stamps is or shall be by this Ordinance authorised and directed to cancel stamps spoiled, or rendered useless or unfit for the purpose intended, and to make allowance for the same by giving other stamps in lieu thereof, it shall be lawful for the said Commissioner, with the previous sanction and under the authority of the Governor, instead of giving stamps, to refund and repay to the party entitled to such allowance, the amount thereof in money, deducting therefrom such per centage as is allowed by this Ordinance on the purchase of stamps of the same description as those in respect of which such allowance shall be made; and it shall also be lawful for the said Commissioner, with the like sanction and authority to refund and repay to any person possessing any stamp or stamps which shall not have been spoiled, or rendered useless or unfit for the purpose intended, but for which he shall have no immediate use or occasion, the amount or value of such stamp or stamps in money, deducting therefrom such per centage as aforesaid upon his delivering up such stamp or stamps to the said Commissioner to be cancelled, and proving to his satisfaction that the same was or were purchased by him, with a *bonâ fide* intent to use the same, and that he has paid the full amount or value described by such stamp or stamps, without any deduction, save and except only the amount of such per centage as aforesaid, and further, that such stamp or stamps was or were so purchased within the period of three calendar months next preceding, and if the same was or were so purchased after the passing of this Ordinance, then that the same was or were so purchased by such person at the office for Stamps in Colombo or from some government officer specially authorised for that purpose, or from some person licensed under the authority of this Ordinance to vend or deal in stamps.

Penalty on notary making instrument not duly stamped.

15. And it is further enacted, that if any notary public in this island, shall knowingly and wilfully write or attest, or permit any person to execute, sign, or acknowledge before him as such notary, any instrument whatever which is required to be written on a stamp on any paper or other material not duly stamped for denoting the duty hereby charged thereon, every such notary shall be guilty of an offence, and liable on conviction thereof, to a fine of one hundred pounds, and in default of payment of such fine to imprisonment with or without hard labour for any period not exceeding one year: and that if any person shall knowingly and wilfully execute or sign, or be an attesting witness to, any such notarial instrument, every such person shall forfeit the sum of twenty pounds. And the sum which shall be wanting to make up the proper amount of stamp duty hereby chargeable on any such instrument shall be recoverable to the use of Her Majesty, from such notary and from the party executing such instrument, or from either of them. Provided always, that if in any case any difference shall arise between any such notary and his employer as to the proper stamp duty chargeable on any instrument whatever to be executed, signed, or acknowledged, before such notary, it shall be lawful for the said parties, prior to the execution, signing, or acknowledging of such instrument, to submit to the District court of the district within which such notary is licensed to practise, a petition in writing signed by them, and setting forth truly and distinctly the nature and grounds of such difference, and having endorsed thereon the certificate of some practising advocate or proctor, that, in his opinion the question at issue between the said parties is one on which doubts may be reasonably entertained, and, thereupon, and upon the hearing of the petitioners, or their counsel, thereon, the said Court shall summarily determine the matter of such difference; and the said petition and the judgment thereon shall be filed of record in the said Court. And if the facts have been truly set forth in the said petition, the validity of the instrument which shall be thereafter executed, signed, or acknowledged before such notary, in conformity with the decision ultimately pronounced on such petition, on a stamp of the amount named in such decision as the proper stamp duty chargeable thereon, shall not afterwards be questioned, nor shall any such instrument be rejected as evidence in any Court, on the ground that the stamp on which the same has been written is insufficient.

In doubtful cases, parties may apply summarily to the Court.

Penalty for making Bills of Exchange, &c., not duly stamped.

16. And it is further enacted, that if any person shall make, sign, or issue, or cause to be made, signed, or issued, or shall accept, endorse, or pay, or cause or permit to be accepted, endorsed, or paid, or shall receive in payment or liquidation of any debt or demand, or shall deposit with any person as a security any bill of exchange, draft, or order, or promissory note for the payment of money, liable to any of the duties imposed by this Ordinance, without the same being duly stamped, for denoting the duty hereby charged thereon, he shall for every such bill, draft, order, or note, forfeit any sum not exceeding twenty pounds. Provided, however, that nothing herein contained shall be construed to apply to the drawer or maker of any bill of exchange, draft, or order, or any promissory note, who shall make, sign, or issue, or cause to be made, signed, or issued, any bill, draft, order, or note, which by the 8th section of this Ordinance is allowed to be and shall have been duly stamped after the same was written.

Penalty for writing receipts not duly stamped.

17. And it is further enacted, that every person who shall write or sign, or cause to be written or signed, any receipt, discharge, or acquittance, given for or upon the payment of

money liable to any stamp duty charged by this Ordinance upon any piece of paper or other material, without the same being first duly stamped with a stamp as herein is directed, or upon which there shall be a stamp of lower denomination or value than is by this Ordinance charged in respect thereof, shall forfeit and pay any sum not exceeding five pounds, in case the sum paid, contained, or expressed in such receipt, discharge, or acquittance, shall not amount to the sum of one hundred pounds, and any sum not exceeding twenty pounds, in case such sum shall amount to one hundred pounds or upwards.

18. And it is further enacted, that every person who shall give any receipt, discharge, or acquittance, or any note, memorandum, or writing, acknowledging the payment of money, in which a less sum shall be expressed than the sum actually paid or received, or who shall separate or divide the sum demanded, or actually paid or received, into divers sums, with intent to evade the said stamp duties, or any of them, or shall, with the like intent, write off any part of any debt, claim, or demand, with intent or design to defraud Her Majesty of any of the said duties by this Ordinance imposed, shall for every such offence forfeit and pay the sum of twenty pounds.

Penalty for giving receipt for less amount than the sum paid.

19. And it is further enacted, that before any receipt, acquittance, or discharge shall be printed or written upon any paper or other material liable to any stamp duty by this Ordinance, the same shall be brought to the Stamp Office, and the said Colonial Secretary, by himself or by his officers employed under him, shall and may from time to time stamp any quantities or parcels of paper or other material before any receipt, acquittance, or discharge shall be printed or written thereupon, upon payment to the Commissioner of Stamps of the several duties payable, by virtue of this Ordinance, for the same.

Paper to be stamped before receipts are granted

20. And it is further enacted, that if any receipt, discharge, or acquittance, given upon the payment of money, and written on paper or other material not stamped as by this Ordinance is directed, shall be brought to the said Commissioner of Stamps, or to some Government Agent or Assistant Government Agent, to be stamped, within the space of fourteen days after such receipt, discharge, or acquittance shall be given, or shall bear date, the same shall and may be permitted to be stamped on payment of the sum of five pounds over and above the duty payable for the same by virtue of this Ordinance; and if any such receipt, discharge, or acquittance shall be brought to be stamped as aforesaid, after the expiration of such fourteen days and within one calendar month after such receipt, discharge, or acquittance shall be given or shall bear date, the same shall and may be permitted to be stamped on payment of the sum of ten pounds over and above the duty payable for the same by virtue of this Ordinance; and the Commissioner of Stamps is hereby enjoined and required upon such receipt, discharge, or acquittance being brought or sent to him within the respective times hereinbefore limited, and upon payment to him of the duty imposed thereon by this Ordinance, and the respective sums aforesaid, or upon the same being transmitted to him, with a certificate under the hand of some Government Agent or Assistant Government Agent that the said stamp duty and the respective sums aforesaid have been duly paid to such Government Agent or Assistant Government Agent, but not otherwise, to send such receipt, discharge, or acquittance to the Colonial Secretary, in order that the same may be stamped with the proper stamp by this Ordinance required for the same.

Receipts may be stamped after the same were granted in certain cases.

21. And it is further enacted, that it shall be lawful for any person or any agent of any person from whom any sum of money shall be due or payable, or claimed to be due or payable, and who shall have paid such sum of money, to provide a piece of paper or other material duly stamped with the proper duty, and according to the amount of the sum so stamped as aforesaid, or some higher rate of duty in this Ordinance contained, and to demand and require of the person entitled to such sum of money, or any agent to whom the same shall have been paid, a receipt, discharge, and acquittance for such sum of money, and also the amount of the duty thereon as aforesaid; and if any person to whom any sum of money shall have been paid, as aforesaid, shall refuse to give such receipt, discharge, and acquittance, upon demand thereof, or pay the amount thereof as aforesaid, every such person shall forfeit and pay for every such offence the sum of five pounds.

Stamped paper for receipt may be supplied by debtor.

22. And it is further enacted, that from and after the commencement of this Ordinance no Court in this island shall grant probate or letters of administration of the property and estate of any deceased person without first requiring and receiving from the person or persons applying for the same, or from some other competent person or persons, an affidavit or affirmation that the movable and immovable property and estate of the deceased in this island for or in respect of which probate or letters of administration are to be granted, exclusive of what the deceased shall have been possessed of or entitled to as a trustee, and not beneficially, and without deducting anything on account of the debts due and owing from the deceased (excepting debts due on mortgage or other notarial bonds), are under the value of a certain sum to be therein specified, to the best of the deponent's knowledge, information, and belief, in order that the proper and full stamp duty may be paid by the person to whom such probate or letters of administration shall be granted.

Duty on probates how ascertained.

23. And it is further enacted, that when any person shall have estimated the property and estate of the deceased to be of greater value than the same shall have afterwards proved to be, and shall in consequence have paid too high stamp duty on any such probate or letters of administration, if such person shall, within six calendar months after the true value of the property and estate shall have been ascertained, produce any such instrument to the Court which granted the same, and it shall be proved to the satisfaction of such Court that a greater stamp duty has been paid than the law required, it shall be lawful for the Judge of such Court to write upon any such instrument the amount of stamp duty which was legally payable thereon, and upon production thereof at the Stamp Office it shall be lawful for the Commissioner of

Proceedings if too great stamp duty has been paid on probate.

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Proceedings if too little stamp duty has been paid.

Penalty for not getting proper stamp affixed to probate.

Commissioner of Stamps may license persons to deal in stamps.

Persons licensed to give bond.

Condition thereof.

Bond not liable to stamp duty.

License may be revoked.

Particulars to be specified in licenses.

No person to deal in stamps without such licenses.

Penalty.

As to persons employed to write instruments liable to stamp duty.

Stamps to cancel and expunge the stamp, and another stamp for denoting the duty which ought to have been paid thereon shall be substituted, and the said Commissioner shall thereupon repay the difference between them in money to the party producing such instrument.

24. And it is further enacted, that when too little stamp duty shall have been paid on any such probate or letters of administration, in consequence of any mistake or misapprehension, or of its not being known at the time that some particular part of the property and estate belonged to the deceased, it shall be lawful for the Judge of the Court by which such instrument was granted, if the application to have the proper stamp affixed shall be made within six calendar months after the true value of the property and estate shall be ascertained, to transmit such instrument to the Stamp Office, in order that the proper stamp may be affixed, without requiring the applicant to pay the penalty payable under the provisions of this or any former Ordinance for stamping deeds or other instruments which have not been stamped or which have been insufficiently stamped; and the Commissioner of Stamps shall thereupon, and upon receipt of the money to be paid thereon, or upon production to him of a certificate, under the hand of some Government Agent or Assistant Government Agent, showing that the money to be paid thereon has been received by such Government Agent or Assistant Government Agent, cause the proper stamp to be affixed on such instrument, and return the same to the Judge by whom it was transmitted to him.

25. And it is further enacted, that where too little duty shall have been paid, as in the preceding section mentioned, if any executor or administrator acting under such probate or letters of administration shall not within six calendar months after the discovery of the mistake or misapprehension, or of any property or estate not known at the time to have belonged to the deceased, apply to the proper Court for the purpose of having the proper stamp affixed, he shall, in addition to the payment of the penalty imposed by the 6th section of this Ordinance on the stamping of any unstamped or insufficiently stamped instrument, incur and be liable to a further penalty of twenty pounds, and the Judge of the said Court shall not transmit such instrument to the Stamp Office to have the proper stamp affixed until the said several penalties have been paid into Court, nor shall the Commissioner of Stamps cause the proper stamp to be affixed thereon unless a certificate shall be produced to him, under the hand of such Judge, that the said penalties have been paid. But upon the production of such certificate, and upon the receipt of the stamp duty to be paid on such probate or letters of administration, or upon the production to him of a certificate, under the hand of some Government Agent or Assistant Government Agent, showing that the stamp duty to be paid thereon has been received by such Government Agent or Assistant Government Agent, the Commissioner of Stamps shall cause the proper stamp to be affixed on such instrument, and return the same to the Judge by whom it was transmitted to him.

26. And it is further enacted, that from and after the commencement of this Ordinance it shall be lawful for the Commissioner of Stamps, with the sanction and under the authority of the Governor as aforesaid by writing under the hand of such Commissioner to grant a license free of expense to any person whom he in his discretion shall think fit and proper for the purpose to vend and deal in stamps at any place or places in this island to be named in such license. Provided always, that every person to whom any such license shall be granted shall enter into a bond to Her Majesty, her heirs and successors, in a penal sum of one hundred pounds, conditioned that such licensed person shall not sell or offer for sale or exchange, or keep or have in his possession for the purpose of sale or exchange, any stamp or stamps other than such as he shall have purchased or procured at the office for stamps in Colombo, or from some Government officer specially authorised for that purpose, or from some person licensed to deal in stamps, under the authority of this Ordinance. Provided always, that such bond shall not be liable to any stamp duty, and that one license and one bond only shall be required for any number of persons in co-partnership. And provided also, that it shall be lawful for the said Commissioner of Stamps whenever he shall think fit, by notice in writing, signed by him to revoke and make void any such license as aforesaid.

27. And it is further enacted, that in every such license to vend or deal in stamps, there shall be truly specified the proper name and place of abode of the person to whom the same shall be granted, and a true description of the house or shop, or houses and shops, in or at which he shall by such license be authorised to vend or deal in stamps; and such person shall not be thereby authorised or entitled to vend or deal in stamps, in or at any other house, shop, or place, than such as shall be so specified and described in such license.

28. And it is further enacted, that no person other than such Commissioner of Stamps or Government officer as aforesaid, shall vend or deal in stamps in any part of this island without having duly obtained from the Commissioner of Stamps a license for that purpose, which shall be subsisting in force, and unrevoked at the time of such vending or dealing; and if any person other than such Commissioner or Government officer as aforesaid shall sell or offer for sale any paper or other material stamped with any stamp, denoting or purporting to denote any stamp duty, or shall exchange any such stamped paper or other material for any other stamped paper or other material, or for any other article or thing, without having duly obtained, and having in force such license as aforesaid, authorising him in that behalf, or in or at any house, shop, or place not specified and described in any such license as aforesaid granted to him, he shall for every such offence forfeit the sum of five pounds.

29. Provided always, and it is further enacted, that it shall be lawful for any person employed to prepare or write any instrument liable to stamp duty, to charge his employer with the amount of the stamp or stamps impressed on the paper or other material upon which such instrument shall be written without having obtained any such license as aforesaid to vend or deal in stamps.

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30. And it is further enacted, that a discount after the rate of five pounds per centum on the prompt payment of any sum amounting to twenty pounds or upwards, by any person licensed to vend or deal in stamps, under the authority of this Ordinance, on the purchase by him of any stamped paper or other material at the Stamp Office in Colombo, or from any Government Agent or Assistant Government Agent, shall be allowed to such licensed dealer by the Commissioner of Stamps, Government Agent or Assistant Government Agent, as the case may be.

Discount allowed to licensed dealers in stamps.

31. And it is further enacted, that every person who shall be licensed under the authority of this Ordinance to deal in stamps, shall cause to be painted in capital letters, one inch at least in height, and of a proper and proportionate breadth, on some conspicuous place on the outside of the front of the house or shop, in or at which he shall be licensed to deal in stamps, and so that the same shall be at all times plainly and distinctly visible and legible, the proper name of such licensed person at full length, together with the words "licensed to sell stamps," or words of similar import in the Cingalese or Tamil language, and such person shall continue such names and words so painted as aforesaid, during all the time that he shall continue licensed as aforesaid; and if any person licensed as aforesaid shall neglect or omit to cause such names and words to be so painted as aforesaid, or shall neglect or omit to continue the same so painted according to the directions of this Ordinance, he shall forfeit ten pounds for every such offence. Provided always, that in the case of several persons licensed as aforesaid in co-partnership, it shall be sufficient if the name of one only of such persons, or of the firm be painted in manner aforesaid.

Licensed dealers in stamps to paint their names, &c., in front of their houses or shops.

Penalty.

Proviso as to partners.

32. And it is further enacted, that if any person shall write, paint, or mark, or shall cause or procure to be written, painted, or marked, or shall permit or suffer to continue written, painted, or marked, upon any part of his house, shop, or premises, either in the inside or on the outside thereof, or upon any board or any material whatever, exposed to public view, and whether the same shall or shall not be so affixed to such house, shop, or premises, any word or words which shall import or signify, or be intended to import or signify, that such person is a vender of or dealer in stamps, such persons not being licensed to deal in stamps, under the authority of this Ordinance, and not being the Commissioner of Stamps, or Government officer as aforesaid, he shall forfeit ten pounds for every day such offence shall be committed or continued.

Penalty on unlicensed persons painting on their shops any words importing that they are dealers in stamps.

33. And it is further enacted, that if any person licensed to vend or deal in stamps shall die, or become bankrupt or insolvent, or if the license of any person to vend or deal in stamps shall expire or be revoked, and any such person, at the time of his death, bankruptcy or insolvency, or at the expiration or revocation of any such license as aforesaid, shall have in his possession any quantity of stamped paper or other material, it shall be lawful for such person, or his executor, or administrator, or assignee, within three calendar months after the expiration or revocation of such license, or next after such death, bankruptcy, or insolvency, as the case may be, to bring or send such stamped paper or other material to the office for stamps in Colombo, and it shall be lawful for the Commissioner of Stamps to receive the same, and to pay to the person bringing or sending the same the amount of the stamp duty thereon, deducting therefrom such per centage as is allowed by this Ordinance, on the purchase of stamps of the like description from the said Commissioner, and also to pay the amount of the value of such paper or other material according to the rates at which paper or other material of the like quality and description shall be sold by the said Commissioner, and thereupon such stamps shall be immediately cancelled. Provided always, that the person who shall bring or send such stamped paper or other material to the said office shall make proof to the satisfaction of such Commissioner that such paper or other material was actually in the possession of the person so dying, or becoming bankrupt or insolvent, or having had such license which had so expired, or had been so revoked, for the purpose of sale, at the time when such person so died or became bankrupt or insolvent, or when the said license expired or was revoked; and shall also make proof in like manner that such stamped paper or other material, or the stamps impressed thereon, was or were purchased, or procured by the person to whom such license shall have been granted, at the head office for stamps in Colombo, or from some Government officer or person licensed to deal in stamps as aforesaid.

Allowance to be made for stamps in the possession of licensed vendors dying, or becoming bankrupt or insolvent, or whose licenses are revoked.

34. And it is further enacted, that upon information given to the Commissioner of Stamps, upon the oath of one or more credible person or persons (which oath the said Commissioner or any Justice of the Peace is hereby empowered to administer) that there is reasonable cause to suspect that any person licensed, or who shall have been licensed under the authority of this Ordinance, hath in his possession any forged or counterfeit stamp or stamps, it shall be lawful for the said Commissioner, by warrant under his hand to authorise any officer or officers employed in the Stamp Office, and such officer or officers is and are hereby fully authorised accordingly, with the assistance, if required, of any constable or other peace officer to enter between the hours of six in the morning and six in the evening into the dwelling-house, room, shop, warehouse, outhouse, or other building of or belonging to any person licensed, or who at any time within six calendar months then last past shall have been licensed as aforesaid, to vend or deal in stamps; and if on demand of admittance and notice of such warrant, the door of any such dwelling-house, room, shop, warehouse, outhouse, or other building, or any inner door thereof, shall not be opened, then to break open the same respectively, and to search for and to seize, and to take into his and their possession all such stamped paper or other material as shall be in any such place as aforesaid, or elsewhere in the custody or possession of such person licensed, or having been licensed as aforesaid, and all constables and other peace officers are hereby required, upon the request of any person or persons, acting under such warrant to aid and assist him or them in the execution thereof; and if any constable or other peace officer

Commissioner of Stamps empowered to grant warrants to search and inspect the stocks of stamps of licensed dealers.

Power of entry.

Penalty for refusing to aid and assist in

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the execution of such warrants, or assaulting persons employed in the execution thereof.

Acknowledgment to be given for stamps seized.

Licensed vendor entitled to be paid the amount of genuine stamps seized, or to have them returned to him.

Penalty on persons hawking stamps.

Hawkers of stamps may be apprehended, and taken before police magistrate.

No instrument requiring a stamp to be issued by any public officer unless the duty is first paid.

Informer's share of penalty.

Ordinance when to take effect.

shall, upon any such request as aforesaid, refuse or neglect to be aiding and assisting in the execution of any such warrant as aforesaid, or if any person shall refuse to permit any such search or seizure as aforesaid to be made, or shall assault, oppose, molest, or obstruct any person employed or acting in the execution, or under the authority of any such warrant, or aiding or assisting in the execution thereof, every such constable, peace officer, or other person so offending in any of the cases aforesaid shall forfeit twenty pounds.

35. Provided always and it is further enacted, that any person who shall execute any such warrant shall, if required, give to the person in whose custody or possession any stamps shall be found and seized, an acknowledgment of the number, particulars, and amount of the stamps so seized, and shall permit such last-mentioned person, or any person employed by him, to mark the same before the removal thereof; and if the person in whose custody or possession any stamps shall be so found and seized, shall be or shall have been within the time aforesaid a licensed vendor of stamps, he shall be entitled to claim and receive in money from the Commissioner of Stamps the amount of such of the stamps so seized as shall be found to be genuine (deducting therefrom such per centage as is allowed on the purchase of stamps of the like description), and also to receive the amount of the paper or other material whereon the same shall be impressed, according to the rates at which paper or other material of the like quality and description shall be sold by the said Commissioner of Stamps; or if the said Commissioner shall think fit, such of the stamps so seized as shall be found to be genuine shall be returned to the person from whose custody or possession the same shall have been taken, with such reasonable amends as the Governor, with the advice of the Executive Council, may think fit to award.

36. And it is further enacted, that if any person, whether he shall be licensed to vend or deal in stamps or not, shall hawk or carry about for sale or exchange any stamped paper or other material, or if any person shall utter or offer for sale or exchange at any house, shop or place, other than the house or shop in which he shall reside or *bonâ fide* carry on his trade or business, any such stamped paper or other material, every such person shall forfeit the sum of five pounds, over and above any penalty to which he may be liable for vending or dealing in stamps without being licensed so to do; and it shall, moreover, be lawful for any person, without any other warrant than this Ordinance for that purpose, to apprehend any person so hawking, carrying about, uttering or offering for sale or exchange such stamped paper or other material, and to take him, or cause him to be taken before any Police magistrate having jurisdiction where the offence shall be committed, who shall hear and determine the matter; and if the offender shall not, immediately on his conviction, pay the penalty, such magistrate shall commit him to prison for any period of time not less than one or more than three calendar months, unless such penalty shall be sooner paid or satisfied; and all stamped paper or other material which shall be found in the possession of such offender shall be forfeited to Her Majesty, and shall be taken possession of by such Magistrate, and be delivered over to the Commissioner of Stamps, to be disposed of in any manner he shall think fit: Provided always, that if such offender shall not be apprehended and proceeded against in a manner hereinbefore directed, then the said penalty of five pounds shall be recoverable by any other of the ways and means provided for the recovery of penalties in this island.

37. And it is further enacted and declared, that in any case in which by any law, usage or custom, which now is or hereafter may be in force in this island, any person is entitled or required to demand, receive, or obtain, from any public officer in the service of Her Majesty or of the Government of this island, whomsoever in virtue of his office; or any such public officer is required or authorised to issue to any person; any instrument whatever which by this Ordinance is required to bear a stamp, it shall be lawful for such public officer, and he is hereby required to refuse to issue or grant to, and to withhold from such person any such instrument, unless and until the proper amount of stamp duty payable thereon shall first have been paid by such person in respect of such instrument, or unless and until a paper stamped with the proper amount of duty shall have been supplied and delivered by him to such public officer; anything in any law or Ordinance, or any usage or custom in anywise to the contrary notwithstanding.

38. And it is further enacted, that one-half of all the fines actually recovered and realized under the provisions of this Ordinance shall go to Her Majesty, and the other half to the informer.

39. And it is further enacted, that this Ordinance shall commence and take effect from and after the first day of June, one thousand eight hundred and forty-eight.

SCHEDULE TO WHICH THIS ORDINANCE REFERS.

PART I.

Containing the Duties on Instruments of Conveyance, Contract, obligation, and security for Money; on Deeds in general; and on other instruments, matters and things not falling under either of the following heads.

PART II.

Containing the Duties on Law Proceedings, and in the Supreme Court, District Courts, and Courts of Requests respectively.

PART III.

Containing the Duties in Testamentary Proceedings, on Probates of Wills, and Letters of Administration.

PART I.

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Duty.
£. s. d.

AFFIDAVIT or affirmation not made for the immediate purpose of being filed, read, or used in any Court of Justice in this island; for every sheet or piece of paper or other material on which the same shall be written or printed 0 2 0

Exemptions from the preceding and all other Stamp Duties.

Affidavits or affirmations required or authorised by law to be made in criminal matters; or affidavits or affirmations on the assumption of any officer under Government; or for the verification of any public accounts, or affidavits or affirmations to be made pursuant to this Ordinance by persons applying for probates of wills and letters of administration, regarding the value of the estate of the deceased; or by persons having spoiled stamps, to obtain an allowance for the same.

AGREEMENT, or contract, or any minute or memorandum of an agreement, made in this island or its dependencies, whether the same shall be only evidence of a contract, or obligatory upon the parties from its being a written instrument, where the matter thereof shall be—

Of the value of	[£1 and not exceeding	£2	.	.	.	.	.	.	.	0	0	1
Exceeding	2	5	.	.	.	.	.	.	.	0	0	3
"	5	10	.	.	.	.	.	.	.	0	0	6
"	10	20	.	.	.	.	.	.	.	0	1	0
"	20	50	.	.	.	.	.	.	.	0	2	0
"	50	100	.	.	.	.	.	.	.	0	4	0
"	100	200	.	.	.	.	.	.	.	0	6	0
"	200	300	.	.	.	.	.	.	.	0	7	6
"	300	500	.	.	.	.	.	.	.	0	8	6
"	500	1000	.	.	.	.	.	.	.	0	12	6
"	1000	2000	.	.	.	.	.	.	.	0	15	0
"	2000	3000	.	.	.	.	.	.	.	1	5	0
And for every additional 1000l. or part thereof a further progressive duty of			.	.	.	.	.	.	.	1	0	0

Where the value of the agreement, or of such minute or memorandum, does not appear on the face thereof, such instrument shall bear a stamp according to the rate following, that is to say :—

Where the same shall not contain more than 120 words	0	5	0
Where the same shall contain more than 120 words	0	7	6
And for every entire quantity of 120 words contained therein over and above the first 120 words, a further progressive duty of	0	2	6

Provided always that where divers letters shall be offered in evidence to prove any agreement between the parties who shall have written such letters, it shall be sufficient if any one of such letters shall be stamped with a duty of 7s. 6d., although the same shall in the whole contain twice the number of 120 words or upwards.

Provided also that figures shall be counted as words.

Provided that if any such agreement, or minute, or memorandum thereof, shall be executed before a notary, the above-mentioned duty shall be chargeable on the duplicate or counterpart of such instrument, instead of on the original thereof.

Exemptions from the preceding and all other Stamp Duties.

Memorandum or agreement for the hire of any labourer, artificer, manufacturer, or menial servant.

Memorandum, letter, or agreement made for or relating to the sale of any goods, wares, or merchandize.

Memorandum, letter, or agreement made with any common carrier for the carriage of goods, wares, or merchandize in this island.

Conditions of sale of any property sold by auction.

Letters containing any agreement (not before exempted) in respect of any merchandize or evidence of such an agreement, which shall pass by the post between merchants or other persons carrying on trade or commerce in this island, and residing and actually being at the time of such letters at the distance of 20 miles from each other.

Memorandum or agreement made between the master and mariners of any vessel or boat for wages.

Agreement to marry not containing any settlement or transfer of property.

Memorandum or agreement made by or with any Government officer in the execution of his office.

APPRAISEMENT, or valuation of any estate or effects, movable or immovable; or of any interest therein, or of the annual value thereof; or of any dilapidations; or of any repairs wanted; or of the materials and labour used or to be used in any buildings; or of any artificer's work whatsoever;

Where the amount of such appraisement or valuation shall not exceed £25	0	1	6
And where it shall exceed £25 and not exceed £50	0	2	6
" 50 " 100	0	5	0
" 100 " 200	0	10	0
" 200 " 500	0	15	0
" 500	1	0	0

Exemptions.

Appraisements or valuations of any property for the purpose of ascertaining the duty payable on probates or letters of administration; or made by or at the instance of any executor or administrator, with a view to the distribution of any estate under his charge; or made by or at the instance of any Government officer in the execution of his office.

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CEYLON.

	Duty.	£.	s.	d.
ARTICLES OF CLERKSHIP or contract, whereby any person shall first become bound to serve as a clerk in order to his admission as an advocate, proctor, notary, or apothecary		10	0	0
And for any counterpart or duplicate thereof		0	2	0
Articles of clerkship or contract, whereby any person shall become bound to serve as a clerk in order to such admission as aforesaid, for the residue of the term for which he was originally bound in consequence of the death of his former master, or of the contract between them being vacated by consent, or by rule of Court, or in any other event			1	0
And for any counterpart or duplicate thereof			0	2
Provided that if any such articles of clerkship shall be executed before a notary, the said duties of 10 <i>l.</i> and 1 <i>l.</i> shall be chargeable on the duplicate instruments, and the duties of 2 <i>s.</i> on the originals thereof.				
ASSIGNMENT.—See BOND.				
AWARD			1	0
And where the same, together with any schedule or other matter put or endorsed thereon, or annexed thereto, shall contain 120 words or upwards, then for every entire quantity of 120 words contained therein, over and above the first 120 words, a further progressive duty of			0	5
BILL OF EXCHANGE, draft, or order to the bearer, or to order, either on demand or otherwise, of any sum of money,				
Amounting to £2 and not exceeding £5			0	0
Exceeding 5	10		0	0
" 10	20		0	1
" 20	50		0	2
" 50	100		0	4
" 100	200		0	5
" 200	500		0	7
" 500	1000		0	10
" 1000	2000		0	15
" 2000	3000		1	0
And for every additional £1000 or part thereof, a further progressive duty of			0	5
Inland Bill, or order for the payment of any sum of money, though not made payable to the bearer or to order, if the same shall be delivered to the payee or some person or his behalf	<i>The same duty as on a Bill of Exchange for the like sum, payable to bearer or order.</i>			
Inland Bill, draft or order for the payment of any sum of money weekly, monthly, or at any other stated periods, if made payable to the bearer, or to order, or if delivered to the payee, or some person on his behalf, where the total amount thereby made payable shall be specified therein, or can be ascertained therefrom	<i>The same duty as on a Bill payable to bearer or order, on demand, for a sum equal to such total amount.</i>			
And where the total amount of the money thereby made payable shall be indefinite	<i>The same duty as on a Bill on demand for the sum therein expressed only.</i>			
And the following instruments shall be deemed and taken to be inland bills, drafts, or orders for the payment of money, within the intent and meaning of this schedule; viz.,—				
All drafts or orders for the payment of any sum of money by a bill or promissory note, or for the delivery of any such bill or note in payment or satisfaction of any sum of money; where such drafts or orders shall require the payment on delivery to be made to the bearer, or to order, or shall be delivered to the payee or some person on his behalf.				
All receipts given for money received which shall entitle, or be intended to entitle, the person or persons paying the money, or the bearer of such receipts, to receive the like sum from any third person or persons.				
And all bills, drafts, or orders for the payment of any sum of money out of any particular fund, which may or may not be available, or upon any condition or contingency which may or may not be performed or happen if the same shall be made payable to the bearer or to order, or if the same shall be delivered to the payee or some person on his behalf.				
Foreign Bill of Exchange (or bill of exchange drawn in but payable out of this island) if drawn singly and not in a set	<i>The same duty as on an inland Bill of the same amount and tenor.</i>			
Foreign Bills of Exchange drawn in sets of three according to the custom of merchants, for every bill of each set, where the sum made payable thereby shall not exceed				
Exceeding £20 and not exceeding 50			0	0
" 50	100		0	1
" 100	200		0	2
" 200	500		0	4
" 500	1000		0	5
" 1000	2000		0	7
" 2000	3000		0	10
And for every additional £1000, or part thereof, a further progressive duty of			0	1

Exemptions from the preceding and all other Stamp Duties.

All instruments exempted from the payment of stamp duties, by virtue of the Ordinance No. 23 of the year 1844, entitled, "An Ordinance for exempting

Duty.
£. s. d.

certain written instruments employed by persons carrying on the business of bankers from payment of stamp duties, and for enabling such persons to make composition in lieu of stamp duties on certain promissory notes and bills of exchange."

All checks, drafts, or orders for the payment of any sum of money to the bearer on demand, and drawn on any licensed banker, provided the same shall bear date on or before the day on which the same shall be issued; and provided the same do not direct the payment to be made by bills or promissory notes.

All Bills of Exchange, drafts, or orders drawn by the treasurer of this island, or any other Government officer in the execution of his office.

BILL OF LADING of or for any goods, merchandize, or effects exported, or carried coast-wise 0 0 3

BOND given as a security for the payment of any definitive and certain sum of money; mortgage of or affecting any property moveable or immoveable; deed or instrument for the assignment or transfer of any property not otherwise charged in this schedule, nor expressly exempted from all stamp duty; lease of any lands, houses, or hereditaments, an *ad valorem* stamp duty, according to the following table, viz.—

Where the value does not exceed £2		0 0 1
Exceeding £2 and not exceeding 5		0 0 3
5 " 10		0 0 6
10 " 20		0 2 0
20 " 30		0 2 6
30 " 40		0 4 6
40 " 50		0 7 6
50 " 75		0 10 6
75 " 100		1 2 6
100 " 200		2 7 6
200 " 300		3 15 0
300 " 500		4 15 0
500 " 1,000		6 0 0
1,000 " 2,000		7 5 0
2,000 " 3,000		8 10 0
3,000 " 4,000		9 15 0
4,000 " 5,000		11 5 0
5,000 " 10,000		14 15 0
10,000 " 15,000		18 10 0
15,000 " 20,000		25 0 0
20,000		30 0 0

Bond of any kind whatever, not otherwise charged in the schedule nor expressly exempted from all stamp duty 1 0 0

Counterpart or duplicate of any such bond, mortgage, assignment, transfer, or lease as aforesaid, where the value exceeds 20*l*. 0 2 0

Provided that if any such bond, mortgage, assignment, transfer, or lease shall be executed before a notary, the above-mentioned stamp duty shall be chargeable on the duplicate or counterpart of such instrument; and the original thereof, where the value exceeds 20*l*., shall be on a stamp of 2*s*.

Exemptions from the preceding and all other Stamp Duties.

Bonds given by any Government officer, or his sureties, for the due execution of his office.

Bonds given by any person to Her Majesty, or to any public officer for the use of Her Majesty, for any debt or sum of money due, or to become due, to the Crown, or to the Government of this island.

Bonds of indemnity given to fiscals or their deputies, or officers in the execution of their duty.

Bonds given to any officer of Customs in his official capacity.

Transfers of bills of exchange and promissory notes by indorsement.

Assignment of any lease.

CHARTERPARTY or any agreement or contract for the charter of any vessel or any memorandum, letter, or other writing between the captain, master, or owner of any vessel, and any other person for or relating to the freight or conveyance of any money, goods, or effects on board of such vessel.

Exemptions.

Charterparty made by or with any Government officer in the execution of his office.

COMPOSITION, deed or other instrument of composition between a debtor or debtors, and his or their creditors 0 10 0

CONVEYANCE, of what kind or description soever, upon the sale of any lands or other immovable property, or of any right, title, interest, or claim in, to, out of, or upon any lands or other immovable property; that is to say, for and in respect of the counterpart or duplicate of the principal or only deed, instrument, or writing whereby the land or other immovable property is conveyed to or vested in the purchaser or purchasers, or any other person or persons by his or their direction;

CEYLON.

				Duty.		
				£.	s.	d.
Where the purchase or consideration money therein or thereupon expressed shall not exceed £3				0	1	0
And where the same shall exceed £3 and not exceed £5				0	1	6
"	5	"	10	0	3	0
"	10	"	20	0	5	0
"	20	"	30	0	7	6
"	30	"	40	0	10	0
"	40	"	50	0	15	0
"	50	"	100	1	5	0
"	100	"	200	1	10	0
"	200	"	300	1	15	0
"	300	"	500	2	7	6
"	500	"	750	4	15	0
"	750	"	1,000	7	0	0
"	1,000	"	2,000	10	0	0
"	2,000	"	3,000	20	0	0
"	3,000	"	4,000	30	0	0
"	4,000	"	5,000	40	0	0
"	5,000	"	6,000	50	0	0
"	6,000	"	7,000	60	0	0
"	7,000	"	8,000	70	0	0
"	8,000	"	9,000	80	0	0
"	9,000	"	10,000	90	0	0
"	10,000	"	12,500	110	0	0
"	12,500	"	15,000	130	0	0
"	15,000	"	20,000	160	0	0
"	20,000	"	30,000	225	0	0
"	30,000	"	40,000	330	0	0
"	40,000	"	50,000	425	0	0
"	50,000	"	60,000	525	0	0
"	60,000	"	80,000	625	0	0
"	80,000	"	100,000	750	0	0
"	100,000 or upwards	"		850	0	0

Original of any such conveyance where the purchase or consideration money exceeds 20*l*.

0 2 0

And where the purchase or consideration money is less than 20*l*.

0 0 6

Note.—The purchase or consideration money is to be duly expressed and set forth in words at length, in or upon every such principal or only deed or instrument of conveyance.

And where any lands or other property of different tenures or holdings, or held under different titles, contracted to be sold at one entire price for the whole, shall be conveyed to the purchaser in separate parts or parcels, by different deeds or instruments, the purchase or consideration money shall be divided and apportioned in such manner as the parties shall think fit, so that a distinct price or consideration for each separate part or parcel may be set forth in or upon the principal or only deed or instrument of conveyance relating thereto; the duplicate of which shall be charged with the said *ad valorem* duty in respect of the price or consideration money therein set forth.

And where any lands or other property, contracted to be purchased by two or more persons jointly, or by any person for himself and others, or wholly for others, at one entire price for the whole, shall be conveyed in parts or parcels, by separate deeds or instruments, to the persons for whom the same shall be purchased, for distinct parts or shares of the purchase money, the duplicate of the principal or only deed or instrument of conveyance of each separate part or parcels shall be charged with the said *ad valorem* duty, in respect of the sum of money therein specified as the consideration for the same.

But if separate parts or parcels of such lands or other property shall be conveyed to, or to the use of, or in trust for different persons, in and by one and the same deed or instrument, then such duplicate, deed, or instrument shall be charged with the said *ad valorem* duty, in respect of the aggregate amount of the purchase or consideration monies therein mentioned to be paid or agreed to be paid for the lands or property thereby conveyed.

And where any person having contracted for the purchase of any lands or other property, but not having obtained a conveyance thereof, shall contract to sell to any other person, and the same shall in consequence be conveyed immediately to the sub-purchaser; the duplicate of the principal or only deed or instrument of conveyance shall be charged with the said *ad valorem* duty, in respect of the purchase or consideration money therein mentioned to be paid or agreed to be paid by the sub-purchaser.

And where any person having contracted for the purchase of any lands or other property, but not having obtained a conveyance thereof, shall contract to sell the whole or any part or parts thereof, to any other person or persons, and the same shall in consequence be conveyed by the original seller, to different persons in parts or parcels; the duplicate of the principal or only deed or instrument of conveyance, of each part or parcel thereof, shall be charged with the said *ad valorem* duty, in respect only of the purchase or consideration money which shall be therein mentioned to be paid, or agreed to be paid for the same by the person or persons to whom, or to whose use, or in trust for whom the conveyance shall be made, without regard to the amount of the original purchase money.

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£. s. d.

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And in all cases of such sub-sale as aforesaid, the sub-purchasers, and the person immediately selling to them, shall be deemed and taken to be the purchasers and sellers, within the intent and meaning of the provisions and regulations of this Ordinance relating to the *ad valorem* duties, on conveyances on the sale of property hereby imposed.

But where any such sub-purchaser shall take an actual conveyance of the interest of the person immediately selling to him, which shall be chargeable with the said *ad valorem* duty in respect of the purchase or consideration money paid or agreed to be paid by him, and shall be duly stamped accordingly; the duplicate of any deed or instrument of conveyance, to be afterwards made to him, of the property in question, by the original seller, shall be exempted from the said *ad valorem* duty, and be charged only with the ordinary duty on notarial deeds or instruments of the same kind, not upon sale.

And where any lands or other property, separately contracted to be purchased of different persons, at separate and distinct prices, shall be conveyed to the purchaser, or as he shall direct, in and by one and the same deed or instrument; the duplicate of such deed or instrument shall be charged with the said *ad valorem* duty, in respect of the aggregate amount of the purchase or consideration monies therein mentioned to be paid, or agreed to be paid for the same.

And where any lands or other property, shall be sold and conveyed, in consideration, wholly or in part of any sum of money charged thereon by way of mortgage, or otherwise, and then due and owing to the purchase, or shall be sold, and conveyed, subject to any mortgage, bond, or other debt, or to any gross or entire sum of money, to be afterwards paid by the purchaser, such sum of money, or debt, shall be deemed the purchase or consideration money, or part of the purchase or consideration money as the case may be, in respect whereof the said *ad valorem* duty is to be paid.

And where there shall be several deeds, instruments, or writings, for completing the title to the property sold; such of them as are not liable to the said *ad valorem* duty shall be charged with the duty to which the same may be liable, under any general or particular description of such deeds, instruments, or writings, contained in this Schedule.

And where, in any case not hereby expressly provided for, of several deeds, instruments, or writings, a doubt shall arise which is the principal, it shall be lawful for the parties to determine for themselves which shall be so deemed, and to pay the said *ad valorem* duty on the duplicate thereof accordingly.

And when any deed or instrument, operating as a conveyance on the sale of any property, shall operate also as a conveyance of any other than the property sold by way of settlement, or for any other purpose, or shall also contain any other matter or things, besides what shall be incident to the sale and conveyance of the property sold, or relate to the title thereto, the duplicate of every deed or instrument shall be charged, in addition to the duty to which it shall be liable as a conveyance on the sale of property, with such further stamp duty as any separate deed containing the other matter, would have been chargeable with.

Exemptions from the preceding Stamp Duties.

All leases, and mortgages; all transfers or assignments thereof.

DISCHARGE, for money.—See *Receipt*.

LEASE.—See *Bond*.

LETTER or Power of Attorney of any kind	0	10	0
Substitution or surrogation under any letter of attorney	0	5	0

Exemptions from the preceding and all other Stamp Duties.

Power of attorney made by any petty officer, seaman, or soldier, or by the executors or administrators of any such person, for pay or prize money.

LETTERS of <i>Venia Etatis</i>	5	0	0
LICENSE for marriage without publication of banns	1	0	0
License to be taken out yearly by every manufacturer of, or dealer in, fire arms	1	0	0
License to be taken out yearly by every person who shall use or possess any fire arms for every gun or other fire arm	0	2	6

MORTGAGE.—See *Bond*.

NOTARIAL DEED the counterpart or duplicate of any whatsoever not otherwise charged in this Schedule, nor expressly exempted from all stamp duty	0	15	0
The original thereof	0	2	0
Notarial copy of, or extract from, any deed or instrument whatever	0	1	6

Exemptions from the preceding and all other Stamp Duties.

All wills, testaments, and codicils, whether notarial or otherwise.

POWER OF ATTORNEY.—See *Letter of Attorney*.

PROMISSORY NOTE.—The same *ad valorem* duty as on a bill of exchange of the like amount.

Exemptions from the duties on Promissory Notes.

All instruments bearing in any degree the form or style of promissory notes, but which in law shall be deemed special agreements. But such instruments shall nevertheless be liable to the duty which may attach thereon, as agreements, or otherwise.

CEYLON.

										Duty. £. s. d.
PROTEST, of any bill of exchange or promissory note for any sum of money not exceeding	£ 20	.	.	.	.	.	.	.	.	0 1 0
Exceeding £ 20 and not	100	.	.	.	.	.	.	.	.	0 2 0
„ 100 „	500	.	.	.	.	.	.	.	.	0 4 0
„ 500 „	.	.	.	.	.	.	.	.	.	0 8 0
Protest of any other kind	.	.	.	.	.	.	.	.	.	0 2 6

PURCHASE DEED.—See *Conveyance*.

RECEIPT or discharge given for, or upon the payment of money

Amounting to £2 and not exceeding £5	.	.	.	.	.	.	.	.	.	0 0 2
Exceeding 5 „	10	.	.	.	.	.	.	.	.	0 0 3
„ 10 „	20	.	.	.	.	.	.	.	.	0 0 6
„ 20 „	50	.	.	.	.	.	.	.	.	0 1 0
„ 50 „	100	.	.	.	.	.	.	.	.	0 1 6
„ 100 „	200	.	.	.	.	.	.	.	.	0 2 6
„ 200 „	300	.	.	.	.	.	.	.	.	0 4 0
„ 300 „	500	.	.	.	.	.	.	.	.	0 5 0
„ 500 „	1,000	.	.	.	.	.	.	.	.	0 7 6
„ 1,000 „	.	.	.	.	.	.	.	.	.	0 10 0

And where any sum of money whatever shall be therein expressed or acknowledged to be received in full of all demands .

0 10 0

And any note, memorandum, or writing whatsoever, given to any person for or upon the payment of money, whereby the sum of money, debt, or demand, or any part of any debt or demand, therein specified, and amounting to 2*l*. or upwards, shall be expressed or acknowledged to have been paid, settled, balanced, or otherwise discharged or satisfied, or which shall import or signify any such acknowledgment, and whether the same shall or shall not be signed with the name of any person, shall be deemed and taken to be a receipt for a sum of money, of equal amount with the sum, debt, or demand so expressed or acknowledged to have been paid, settled, balanced, or otherwise discharged or satisfied, within the intent and meaning of this Schedule, and shall be charged with a duty accordingly.

And any receipt or discharge, note, memorandum, or writing whatever, given to any person for or upon the payment of money, which shall contain, import, or signify any general acknowledgment of any debt, account, claim, or demand, debts, accounts, claims, or demands whereof the amount shall not be therein specified having been paid, settled, balanced, or otherwise discharged or satisfied, or whereby any sum of money therein mentioned, shall be acknowledged to be received in full, or in discharge, or satisfaction of any such debt, account, claim, or demand, debts, accounts, claims, or demands, and whether the same shall or shall not be signed with the name of any person, shall be deemed and taken to be a receipt for the sum of 1000*l*. or upwards, within the intent and meaning of this Schedule, and shall be charged with the duty of 10*s*. accordingly.

And all receipts, discharges, and acknowledgments of the description aforesaid, which shall be given for or upon payments made by or with any bills of exchange, drafts, promissory notes, or other securities for money, shall be deemed and taken to be receipts given upon the payment of money, within the intent and meaning of this Schedule.

Exemptions from the preceding Duties on receipt.

Receipts or discharges written upon promissory notes, bills of exchange, drafts or orders for the payment of money, duly stamped according to the laws in force at the date thereof; or upon bills of exchange drawn out of but payable in this island.

Letters by the general post acknowledging the safe arrival of any bills of exchange, promissory notes, or other securities for money.

Receipts or discharges endorsed or otherwise written upon or contained in any bond, mortgage, or other security, or any conveyance, deed, or instrument whatever, duly stamped according to the laws in force at the date thereof, acknowledging the receipt of the consideration-money therein expressed, or the receipt of any principal money, interest, or annuity thereby secured.

Releases or discharges for money by deeds duly stamped according to the laws in force at the date thereof.

Receipts or discharges for the return of any duties of customs upon certificates of over entry.

Receipts or discharges given by or to any Government Agent Fiscal or his deputy or officer, or other public officer in the execution of his office.

TRANSFER.—See *Conveyance—Bond*.

Transfer or assignment of any mortgage to which the mortgager is not a party; or where he is a party, if no new security be given, or no additional sum be advanced Provided that if any such transfer or assignment shall be executed before a notary, the above-mentioned duty shall be chargeable on the duplicate or counterpart of such instrument, instead of the original thereof.

1 0 0

WARRANT to act as a Notary Public 5 0 0

Exemptions.

Where any person duly admitted a notary in any district of this island shall be afterwards admitted a notary in any other district, the subsequent warrant shall be free of duty.

Exemptions from the preceding and all other Stamp Duties.

All instruments exempted from the payment of stamp duties by virtue of the Ordinance No. 4, of the year 1833, entitled, "For the protection of the Ceylon Savings' Bank and the fund thereby established."

All instruments exempted from stamp duty by the Ordinance No. 6, of 1835, entitled, "Ordinance to consolidate and amend the Laws now in force in these Settlements relating to Bankruptcy, the relief of Insolvent Debtors, and the privilege of *Cessio Bonorum*."

Provided that where any instrument hereinbefore in this part of the Schedule specified (in respect of which special provision has not been already made in that behalf) shall be executed or acknowledged before a notary public, the stamp duty hereby chargeable on such instrument, shall be chargeable on the duplicate or counterpart thereof, instead of on the original instrument.

PART II.

CONTAINING the DUTIES on LAW PROCEEDINGS.

In the Supreme Court.	Duty.							
	1st Class under £10.	2nd Class under £30.	3rd Class under £75.	4th Class under £150.	5th Class under £500.	6th Class under £1000.	7th Class under £5000.	8th Class £5000 and upwards.
<i>In Civil Proceedings.</i>	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Every Affidavit or Affirmation . . .								
„ Bill of Costs								
„ Bond of Security in Appeal to the Queen in Council or other Bond of Recognizance . . .								
„ Certificate in Appeal to the Queen in Council								
„ Copy (office copy) of any De- cree, Deposition, Document, or other matter of record . .								
„ Decree or Judgment, or Order having the effect of a Decree or Judgment, interlocutory or final								
„ Exemplification under the Seal of Court of any record or pro- ceedings therein	0 1 6	0 3 0	0 4 0	0 6 0	0 9 0	0 12 0	0 15 0	1 0 0
„ Exhibit of each unstamped do- cument								
„ Injunction								
„ Mandate, or Writ of Mandamus Procedendo and Prohibition .								
„ Order of Transference								
„ Petition of Appeal to the Judges collectively								
„ Petition to the Queen in Council								
„ Proxy								
„ Rule Nisi or Absolute								
„ Summons								
„ Translation of any exhibit . .								

Exemptions.

All affidavits or affirmations for verifying service of process.

All mandates in the nature of writs of *Habeas Corpus*, and all rules relating thereto.

Provided also that no Queen's Advocate or Deputy Queen's Advocate suing or being sued, or intervening in any suit, *virtute officii*; and no person duly admitted to sue or defend as a pauper, shall be required to use any stamps in civil proceedings in the Supreme Court.

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In the District Courts.	Duty.							
	1st Class under £10.	2nd Class under £30.	3rd Class under £75.	4th Class under £150.	5th Class under £500.	6th Class under £1000.	7th Class under £5000.	8th Class £5000 and upwards.
<i>In Civil Proceedings.</i>	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Every Affidavit or Affirmation . . .								
„ Bail Bond or other Bond or Re- cognizance								
„ Bill of Costs								
„ Certificate in Appeal								
„ Certificate of Quiet Possession								
„ Commission to Examine Wit- nesses, to Survey, of Refer- ence, and all other Commis- sions								
„ Commitment in Mesne Process or in Execution								
„ Decree or Judgment								
„ Edictile Citation for Certificate of quiet possession of Land .								
„ Exhibit of each unstamped do- cument								
„ Injunction, and each copy or translation thereof								
„ Libel, Answer, Replication, De- murrer, or other pleading . .								
„ List of Witnesses	0 1 6	0 3 0	0 4 0	0 6 0	0 9 0	0 12 0	0 15 0	1 0 0
„ Notice of Trial or Argument, to hear Judgment of the Dis- trict or the Supreme Court, to be Examined <i>vidâ voce</i> , and for Judgment by Default								
„ Petition of Appeal								
„ Proxy								
„ Rule Nisi or Absolute								
„ Sequestration, and each notice and translation thereof . . .								
„ Set of Interrogatories								
„ Subpœna to a Witness								
„ Summons to each Defendant or Intervient								
„ Translation of each exhibit . .								
„ Warrant of Arrest in Mesne Process								
„ Warrant of Attachment for Non-attendance or Contempt								
„ Writ of Execution against Per- son or Property								
„ Office copy, duly certified, of all matter of record, per sheet of 120 words	0 0 6	0 0 9	0 1 0	0 1 6	0 2 6	0 3 6	0 5 0	0 7 6
„ Petition to the Court not in- cluded in the foregoing Table	0 0 9	0 1 6	0 2 0	0 3 0	0 4 6	0 6 0	0 7 6	0 10 0

Poundage at the rate of one per centum on all monies levied in execution, either by sale or by payment of the debtor to the Fiscal or his deputy, although the creditor becomes purchaser of the property sold in execution, and obtain credit for the purchase-money in reduction of the amount of the writ.

Exemptions.

All affidavits or affirmations for verifying service of process; all orders for the release or discharge of civil prisoners; all warrants of attachment for non-attendance or contempt issued by the Court at its own instance.

Provided also that no Queen's Advocate or Deputy Queen's Advocate suing or being sued, or intervening in any suit *virtute officii*; and no person duly admitted to sue or defend as a pauper, shall be required to use any stamps in civil proceedings in the District Court. Provided also that no summons, subpœna, warrant of arrest, or in execution, nor any other citation or writ whatsoever which has once been issued out of the Court and returned by the officer to whom it was directed, shall, on any pretext whatever, be re-issued, unless any such process has been returned, not served or executed, by reason that the party could not be found, or had left the jurisdiction of the Court, or by reason that no property of the debtor, or none sufficient to satisfy the exigency of any writ of execution, could be found.

Provided also that in appeals to the Supreme Court, the appellant shall furnish to the Secretary of the District Court the proper stamp for the decree or order of the Supreme Court which may be made on such appeal.

In the Courts of Requests.	Duty.	
	1st Class, under £2.	2nd Class, £5 and under.
	£. s. d.	£. s. d.
Every Affidavit or Affirmation		
„ Bail Bond or other Bond of Recognizance.		
„ Commitment		
„ Copy (office copy) of any matter of record		
„ Exhibit of each unstamped document		
„ Notice of Interlocutory Judgment		
„ Petition of Review	0 0 9	0 1 6
„ Subpoena to each Witness		
„ Summons to a Defendant		
„ Translation of each document		
„ Warrant of Arrest in Mesne Process		
„ Warrant of Attachment		
„ Warrant of Execution		

Poundage at the rate of one per centum on all monies levied in execution, either by sale or by payment of the debtor to the Fiscal or his deputy, although the creditor becomes purchaser of the property sold in execution, and obtains credit for the purchase-money in reduction of the amount of the writ.

Exemptions.

All affidavits or affirmations for verifying service of process ; all warrants of attachment issued by the Court at its own instance.

Provided also that no Government officer suing or being sued in his official capacity shall be required to use any stamps in any Court of Requests.

Provided also that no summons, subpoena, warrant of arrest, or in execution, nor any other citation or writ whatsoever which has once been issued out of the Court and returned by the officer to whom it was directed, shall, on any pretext whatever, be re-issued, unless any such process has been returned not served or executed, by reason that the party could not be found, or had left the jurisdiction of the Court, or by reason that no property of the debtor, or none sufficient to satisfy the exigency of any writ of execution, could be found.

PART III.

Containing the DUTIES in TESTAMENTARY PROCEEDINGS, ON PROBATES of WILLS and LETTERS of ADMINISTRATION.

	Duty. £. s. d.
Every affidavit or affirmation	
„ account, provisional or final	
„ bond	
„ citation, and each copy or translation thereof	
„ commission of appraisement	
„ copy (office copy) of any will or codicil, or extract therefrom, or of any document mentioned in this part of the Schedule, not exceeding 120 words	0 4 0
For every additional 120 words, or any less number	
„ inventory	

PROBATE of a WILL, or Letters of Administration, where the property and estate for or in respect of which such probate or letters of administration shall be granted, exclusive of what the deceased shall have been possessed of or entitled to as a trustee for any other person or persons and not beneficially, shall be—

	£. s. d.
Under the value of £20	0 2 6
Of the value of 20 and under the value of £ 50	0 5 0
50	0 10 0
100	1 10 0
200	2 10 0
300	4 0 0
450	5 10 0
600	7 10 0
800	10 0 0
1,000	15 0 0
1,500	20 0 0
2,000	25 0 0
3,000	30 0 0
4,000	40 0 0
5,000	50 0 0
6,000	60 0 0
7,000	70 0 0
8,000	80 0 0
9,000	90 0 0
10,000	100 0 0
12,000	110 0 0
14,000	130 0 0
16,000	150 0 0
18,000	170 0 0
20,000	190 0 0

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CEYLON.

		Duty.		
		£	s.	d.
£ 25,000 and under the value of £ 30,000		210	0	0
30,000	35,000	230	0	0
35,000	40,000	260	0	0
40,000	45,000	300	0	0
45,000	50,000	350	0	0
50,000	60,000	400	0	0
60,000	70,000	450	0	0
70,000	80,000	550	0	0
80,000	90,000	650	0	0
90,000	100,000	750	0	0
100,000 and upwards		850	0	0

Passed in Council the Thirty-first day of January One Thousand Eight Hundred and Forty-eight.

G. C. TALBOT, Acting Clerk to the Council.

Published by Order of His Excellency the Governor,

J. EMERSON TENNENT, Colonial Secretary.

Encl. 2 in No. 9.

Enclosure 2 in No. 9.

REPORT of a SUB-COMMITTEE of the LEGISLATIVE COUNCIL appointed to report upon the Ordinance "To repeal the existing Stamp Duties, and to impose certain other Duties in lieu thereof."

Extract from the Minutes of the Legislative Council held at the Council Room at Colombo, on Friday, the Thirty-first day of December, 1847.

THE Colonial Secretary moves that the following gentlemen be appointed a Sub-Committee to report upon the Bill "To repeal the existing Stamp Duties, and to impose certain other Duties in lieu thereof."

The Hon. Sir J. Emerson Tennent, K.C.S., Colonial Secretary.

The Hon. H. C. Selby, Esq., Acting Queen's Advocate.

The Hon. C. J. MacCarthy, Esq., Auditor-General.

W. C. Gibson, Esq., Acting Government Agent for the Western Province.

J. F. Giffening, Esq.,

G. Crabbe, Esq.,

S. Edermanesingam, Esq.,

J. Armitage, Esq.,

} Unofficial Members.

Seconded by the Acting Queen's Advocate.

Resolved accordingly.

REPORT.

The Sub-Committee to whom the Bill for revising the Stamp duties has been referred, have but few observations to make with regard to its provisions generally. These seem to them, as a whole, to afford all that protection and those facilities which the public require; and to be well calculated to secure the Government (so far as legal provisions can secure it) against those frauds on its revenue which they have reason to know have been very extensively practised hitherto.

The Sub-Committee would suggest that after the 14th clause of the Ordinance, clauses 26 to 38 inclusive should be inserted, as they consider such an arrangement of the sections more convenient for the purposes of general reference than the present. They also recommend that instead of the words "Government Agent or Assistant Government Agent" in the 14th and other clauses, the words should be "Government officer specially authorized for that purpose." They make this recommendation because they are aware that other public officers besides those named (for instance some of the judicial officers) have hitherto been entrusted, in certain places, with the sale of stamps; and they do not consider it advisable that the number of Government officers employed to sell stamps should for the present be reduced.

The Sub-Committee have had under their consideration the difficulties to which parties are occasionally exposed in consequence of their not knowing what is the proper stamp duty chargeable on particular instruments, and to meet cases of this nature the Sub-Committee would recommend the following proviso at the end of the 26th section of the Ordinance, viz. :—

Provided always that if in any case any difference shall arise between any such notary and his employer as to the proper stamp duty chargeable on any instrument whatever to be executed, signed, or acknowledged, before such notary, it shall be lawful for the said parties, prior to the executing, signing, or acknowledging of such instrument, to submit to the District Court of the district within which such notary is licensed to practice, a petition in writing signed by them, and setting forth truly and distinctly the nature and grounds of such difference, and having endorsed thereon the certificate of some practising advocate or proctor that in his opinion the question at issue between the said parties is one on which doubts may be reasonably entertained, and thereupon, and upon the hearing of the petitioners, or their counsel, thereon, the said Court shall summarily determine the matter of such difference; and the said petition and the judgment thereon shall be filed of record in the said Court. And if the facts have been truly set

forth in the said petition, the validity of the instrument which shall be thereafter exempted, signed, or acknowledged before such notary, in conformity with the decision ultimately pronounced on such petition, on a stamp of the amount named in such decision as the proper stamp duty chargeable thereon, shall not afterwards be questioned, nor shall any such instrument be rejected as evidence in any Court, on the ground that the stamp on which the same has been written is insufficient.

SCHEDULE—PART I.

Admission of Advocates.

The Sub-Committee are of opinion that the duty hereon ought to be raised to 25*l*. The sum of 7*l*. 10*s*. to be charged on the admission of proctors in the District Courts appears to them fair and reasonable; and as, in addition thereto, proctors will be required to take out an annual certificate, the Sub-Committee think it is right that the duty on the admission of advocates should be raised to the sum they have suggested.

Agreement.

With regard to this table, the Sub-Committee recommend that, in order as far as possible to preserve uniformity throughout the Schedule, the duty should be levied on sums not exceeding certain amounts, instead of on sums under a given amount. It further appears to them desirable that a single rate of duty only should be imposed on sums exceeding 20*l*. and not exceeding 50*l*., instead of one rate from 20*l*. to 30*l*. and a second from 30*l*. to 50*l*.: and they recommend that the duty on sums exceeding 20*l*. and not exceeding 50*l*. should be 2*s*. The Sub-Committee further consider that where an agreement exceeds 3000*l*. in value, a progressive duty of 1*l*. ought to be charged on every additional 1000*l*., and any fractional part thereof.

Bill of Exchange.

Alterations of a similar character the Sub-Committee propose in this table. They think that bills under 2*l*. should be exempt from duty; and that on sums from 2*l*. and not exceeding 5*l*. the rate of duty should be 3*d*. They would likewise suggest but one rate of duty on sums exceeding 20*l*. and not exceeding 50*l*. and exceeding 200*l*. and not exceeding 500*l*.; and where the amount of the bill exceeds 3000*l*., a progressive duty of 5*s*. for every additional 1000*l*. and any fractional part thereof. The Sub-Committee would here observe that a number of different rates of duty on the same description of instrument is calculated to mislead the unwary, and they have, therefore, been desirous of making the rates as few as possible.

Bill of Lading.

The Sub-Committee are informed that it is usual with the European merchants in this island to draw bills of lading in sets; and it appears to them that the duty on a bill of lading ought, therefore, to be reduced from 6*d*. to 3*d*.

Certificates by Proctors and Notaries.

In the opinion of the Sub-Committee the contemplated requirement is, in principle, unobjectionable. Looking, however, to the circumstances of the colony, they think that the amount of duty, so far as relates to notaries, is too high. They would beg, therefore, to submit for the consideration of the Committee that, instead thereof, the certificate to be taken out by notaries practising in Colombo, Kandy, Galle, Jaffna, Trincomalie, Caltura, and Mattura should be on a stamp of 1*l*., and of those practising elsewhere in the island on a stamp of 5*s*.

Licences.

The Sub-Committee would remark generally, in reference to the licences which the Ordinance contemplates being taken out by bankers, auctioneers, retail shopkeepers, common carriers, boat-owners, and the owners of dogs (and the same remark applies to the duty on the admission of advocates and proctors, and on the certificates to be taken out by the latter and by notaries), that legislative provision will hereafter be required—similar to that already made in regard to the possessors of fire-arms—to compel the parties mentioned to take out these licences, and to define who the persons are that shall be required to obtain them. The present Ordinance does no more than fix the rate of duty on certain licences. If the Legislature hereafter deems it expedient to require the persons designated to take out licences, an Ordinance will be requisite. When that is done, the licences will have to be on the stamps now fixed. But until such legislative provision has been made, the present Ordinance, in so far as it relates to such licences, will not take effect; for at present there is no penalty for exercising any such calling without a licence, and of course no licence will be taken. In giving effect to these provisions of the present Ordinance, it will be for the Legislature to declare to whom, and with what exceptions, and under what limitations, they shall be made applicable. For example, the present Ordinance contains a provision that retail shopkeepers in certain towns shall yearly take out stamped licences of a certain amount. Supposing this provision to have become part of the law of the colony, an Ordinance will obviously be necessary to declare by whom these licences shall be granted, and what they shall contain; to define with precision what dealers shall be deemed to be shopkeepers so as to require them to be licensed; and to provide the penalty on persons dealing without such licence.

With one exception the Sub-Committee are of opinion as to the propriety of the proposal to license shopkeepers in the principal towns; and they recommend that (in addition to the towns named) persons keeping shops at Ratnapoora, Calpentyn, Pantura, Matelle, Nawellepittya, Ambegama, Kadooganawa, Ootooankande, Bentotte, Ballypittymodere, and Jayelle should likewise be required to take out a 10*s*. licence. At the same time the Sub-Committee gladly avail themselves of this opportunity to suggest, for the serious consideration of the Government, whether, in any Ordinance which may be brought forward hereafter on this subject, it will not be most desirable to exempt from its operation all those small dealers who keep shops, or boutiques, for the sale exclusively of fruits, vegetables, fish, and other victuals; and also the whole class of very small general dealers. The Sub-Committee having incidentally had this subject under their consideration, would take the liberty of suggesting whether the best course that could be adopted in reference to this matter might not be to limit the operation of the Ordinance imposing a licence to such persons as occupy shops of a certain annual value of retail, say

CEYLON.

5l. But having said thus much, the Sub-Committee confidently leave the matter in the hands of the Government and of the Legislative Council.

The further alterations the Sub-Committee would propose under the head of Licences are, 1st, that the auctioneer's licence shall be limited to persons exercising that calling in the towns of Colombo, Kandy, Galle, Jaffna, and Trincomalee; 2ndly, that the duty on licences to be taken out by common carriers should be (what it has hitherto been in Colombo) 6s. instead of 5s.; and, 3rdly, that owners of carriages let out for hire (who do not fall under the designation of common carriers) should be required to take out a yearly licence on a stamp of 1l.

Notarial Instruments.

Under this head the Sub-Committee recommend the insertion of a duty of 1s. 6d. on all notarial copies of, or extracts from, any deeds or instruments whatever. This charge was hitherto levied under the former stamp laws; and the propriety of imposing a moderate duty upon such instruments seems to be undeniable.

Warrant to act as a Notary Public.

Considering the circumstances of the colony, and the want of notaries in many parts of the interior, the Sub-Committee think that 5l. will be a sufficient amount of duty on these warrants.

PART II.

The only alteration which the Sub-Committee have to suggest in the tables of duties on law proceedings is one to allow writs of execution against property to be re-issued if the fiscal has not succeeded in finding any property of the debtor, or none sufficient to satisfy the exigency of the writ. The Sub-Committee think that so long as the writ has not been fully satisfied, the creditor ought not to be put to the expense of issuing a new writ.

PART III.

The Sub-Committee have no alteration to suggest in this part of the Schedule.

With these remarks the Sub-Committee beg to recommend the Ordinance, as amended, to the favourable consideration of the Committee and the adoption of the Council.

J. EMERSON TENNENT,
H. C. SELBY,
C. J. MACCARTHY,
W. C. GIBSON,

J. F. GIFFENING,
G. CRABBE,
S. EDERMANESINGAM.
J. ARMITAGE.

No. 10.

(No. 40.)

No. 10.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Pavilion, Kandy, February 11, 1848.

(Received March 31, 1848.)

MY LORD,

IN forwarding to your Lordship the enclosed copy of an extract from the Minutes of the Executive Council, dated 28th January last, I feel it my duty to add my cordial support to the recommendation which it contains. The object of the Minute is to point out that the probable funds at the disposal of this Government on the 31st December, 1847, had decreased in amount, compared with those at its disposal on the 31st December, 1846, by the sum of 45,000l.; that the probable cash balance in the several chests within the island did not exceed the total amount of Government notes, (including the notes on hand), and that debts against this Government still remained unpaid in India; while the bills which will be drawn in the present year in repayment of the advances to the Queen's troops, will probably not be sufficient to cover the expenditure of the agent in London, and to pay off the existing debts at the presidencies.

Under these circumstances, the Council unanimously recommend that urgent application should be made to Her Majesty's Government for at least a partial relief, by the suspension of the annual charge of 24,000l. for the military contribution to the Queen's chest, which the colony is unable to bear.

In my Despatch, No. 101, of the 11th September, 1847, I addressed your Lordship at some length upon this subject, and I feel it now to be my positive duty to state, that further inquiry has only served to convince me, that the supposed flourishing state of the finances, and the imaginary existence of a considerable balance which led in the year 1836 to the imposition of this charge upon the colony, were founded upon inadequate grounds, the fallaciousness of which have since been amply established. The surplus of 50,000l. which was reported by Sir Robert Horton (in his Despatch, No. 39. 23rd

January, 1837,) to be lying in the Government chests at the end of the financial year 1836, would have been converted into a deficiency, had the actual debt on Government notes, amounting to 87,000*l.*, been taken into account. Moreover, a temporary increase to the funds in hand had been made by the productive pearl fisheries in two successive years, and by the sale of arrears of cinnamon which had accumulated in London during a long period. In reality the revenue from other sources than cinnamon had decreased by not less than 34,000*l.* in the single year of 1836. A heavy charge still remained to be incurred for the construction of barracks for the troops, while the roads and public buildings were left much neglected.

The colony appears to have laboured under serious disadvantages since the payment of the 24,000*l.* a-year was imposed ; and had not the sudden demand for coffee lands in 1841 enabled it to realize considerable funds from the territorial revenue, there is too much reason to believe, that the income would not have equalled the necessary expenditure, calculated upon the lowest scale. Since the raising of the upset price of land to 1*l.* an acre, concomitantly with the diminished prospects of advantageous investment of capital in coffee estates, the revenue derived from sales of land has been reduced to a comparatively trifling amount. The pearl fishery has been for several years entirely lost, and there seems to be no near prospect of its revival.

I confess that I look with much anxiety to at least the temporary remission of this military contribution, to enable me to effect such necessary improvements as the circumstances of the colony seem to require, and which are in harmony with the state of transition through which, at present, it appears to be passing. I know of no other important reduction in the military expenditure which prudence and justice equally induce me to recommend. I would only beg leave to remind your Lordship, that besides this particular item of military expenditure, the colony is charged with nearly 50,000*l.* per annum for other military purposes, in addition to the military pensions which equal nearly 4000*l.* more.

I might further beg to invite your Lordship's attention to the recommendation of Sir William Colebrooke in his letter to Lord John Russell of the 31st December, 1840, in favour of the remission (at all events temporarily) of the payment to which I allude. My predecessors, Mr. Stewart Mackenzie and Sir Colin Campbell dwelt, with much earnestness, upon the impediment to the real welfare and improvement of the colony, which was offered by the impoverished state of the public chest, produced, in a measure, by the contribution. The remonstrance of the unofficial members of the Legislative Council was formerly transmitted by my immediate predecessor, and I feel it my duty in forwarding to your Lordship the accompanying Minute of the Executive Council, to request your Lordship's most serious attention to the subject of it, and to support it with my recommendation, which I should be the last to offer upon such a subject did I not deem it essentially necessary for the continued advancement of the colony.

Despatch No. 19 of
February 12, 1841.
Despatch No. 8 of
November 22, 1811.

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) I have, &c.,
TORRINGTON.

Enclosure in No. 10.

Encl. in No. 10.

EXTRACT from the MINUTES of the EXECUTIVE COUNCIL held at the Council Room at Colombo, on Friday the 28th day of January, 1848.

Present :—

His Excellency the Right Hon. Viscount TORRINGTON.
The Hon. Major-General W. SMELT, C.B.
The Hon. Sir J. Emmerson TENNENT, K.C.S
The Hon. H. C. SELBY, Esq.
The Hon. P. E. WODEHOUSE, Esq.

THE acting treasurer brings to the notice of the Governor and the Council, that there is reason to suppose, so far as an opinion can at present be formed from such accounts as have already been received, that the funds at the disposal of the Government, on the 31st December, 1847, were less than those at their disposal on the 31st December, 1846, to the amount of about 45,000*l.*

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He also submits the following facts, from which he has been led to that conclusion :—

	£.
The debts of the colony in India have increased by	18,642
The credit in account with the Lords of the Treasury for the pay of the troops is less by	6,415
The salaries paid in advance in 1846 and not so paid in 1847 are about	7,000
Drafts were drawn by the Government Agent in Kandy, on the 31st December, for transfer of deposits, to be cashed in 1848, to the amount of	3,000
The credit with the agent in London is probably less by	8,000
And the cash in the several cash chests is less by about	2,000
	<u>£45,057</u>

The treasurer informs the Council, in addition, that the balance of cash in the several cash chests on the 31st December, 1847, did not, in all probability, exceed 85,000*l.*, including the Government notes in hand.

The Governor and Council cannot but view this statement with considerable uneasiness. It is clear that the bills which the Governor will be empowered to draw in the course of the year, in repayment of the advances to the troops, will not be sufficient, after deduction of the annual payment of 24,000*l.*, to provide for the expenditure of the agent for the colony in London, and to pay off the existing debt in India, much less will they be sufficient to meet the further supplies of specie which will be required from India.

The Governor and Council are unprepared at such short notice to say what steps should be taken generally for encountering such serious difficulties ; but they can have no hesitation in making the most urgent application to Her Majesty's Government for a partial but immediate relief, by the suspension of the annual charge for military purposes of 24,000*l.* They will give their immediate and best attention to this all important matter, but they earnestly hope that Her Majesty's Government will see the absolute necessity for acceding to their present recommendation.

A true extract,

GERALD TALBOT,
Acting Clerk to the Council.

No. 11.

Answered No. 220,
May 31, 1848,
p. 328.

(No. 52.)

No. 11.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Pavilion, Kandy, March 7, 1848.

(Received May 1, 1848.)

MY LORD,

I HAVE the honour to forward to your Lordship the Ordinance, No. 3, of 1848, which was passed in Council on the 31st day of January last, and which makes provision " For the registration of carriages and boats used for " the conveyance of goods and passengers for hire ; and for declaring the rights " and liabilities of the owners thereof." The largely increased and daily increasing traffic throughout the island, and the inadequacy of the enactments hitherto in force for the regulation of that traffic, and for ensuring a proper control over and defining the responsibility of parties concerned in the transport of goods and passengers, rendered a new law upon the subject highly desirable.

The previous enactments were only partial in their operation, the present Ordinance is general in its application to all parts of the island. Henceforth all carriages and boats of every description used for hire must be licensed and registered, and for every such yearly license which is to be given upon stamped paper a charge of 6*s.* will be made.

The declaration of ownership, which, according to the third clause, must be made before a licence can be granted, the liability of every owner to be sued by his or their names only which is provided by the 13th clause, and his liability to answer for loss or injury to any goods arising from theft or fraudulent conduct of any of his servants, which is provided for by the 16th clause, will, it is hoped, tend materially to protect the public against the frauds and impositions which have long been practised upon them, and must be calculated to render the masters in all respects more circumspect as to the

description of persons they admit into their employ. At the same time adequate protection is afforded to the owners, by the 9th clause, against their being made liable for the loss of certain articles exceeding the value of 5/, unless the value of such articles shall have been declared and an increase charge paid for the conveyance of the same, in the manner provided for in the 10th clause, that is to say, according to a scale to be notified and affixed in legible characters in a conspicuous part of the office where such goods are received.

The other clauses of the Ordinance are designed to provide for the speedy delivery of goods and parcels, after the arrival of them at their place of destination, and for regulating the hire of coolies, &c. The Ordinance will take effect from the 1st of April next, and amongst other good effects which I anticipate from its operation, I may be permitted to mention, that an addition to our revenue, though small, has not been lost sight of.

I have only further to remark, that a distinct Ordinance has been already prepared and will shortly be laid before the Legislative Council, "for registering and licensing palanquins and other carriages let to hire," for recreation, &c., and which will therefore be quite distinct in its operation from the Ordinance which I have now the honour to submit for your Lordship's approval and the confirmation of Her Majesty.

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed)

I have, &c.,
TORRINGTON.

Enclosure in No. 11.

Encl. in No. 11.

ORDINANCE enacted by the Governor of Ceylon, with the Advice and Consent of the Legislative Council thereof.

TORRINGTON.

No. 3.

For the Registration of Carriages and Boats used for the Conveyance of Goods and Passengers for Hire; and for declaring the Rights and Liabilities of the Owners thereof.

WHEREAS it is expedient to consolidate and amend the laws now in force regarding the licensing of carts used for the conveyance of goods for hire; and to make further and other provision for the registration and licensing of carriages and boats of every description used for the conveyance of goods and passengers for hire; and to declare in certain respects the rights and liabilities of the owners of the said carriages and boats. Preamble.

1. It is therefore hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that from and after the commencement of this Ordinance, the 8th clause of the Ordinance No. 4 of the year 1834, entitled, "To Consolidate and Amend the several Regulations relating to the Assessment Tax on Houses and the Tax on licensed Bullock Carts in Colombo and Point de Galle, and for making further Provisions as to the future Management and Application of the said Taxes;" the 2nd, 3rd, 4th, 5th, and 6th clauses of the Ordinance No. 3 of the year 1835, entitled, "For Altering, Amending, and Explaining the Ordinance No. 4 of the year 1834;" and the 3rd, 4th, 5th, and 6th clauses, and so much of the 2nd clause as regards the registration of bullock carts, of the Ordinance No. 4 of the year 1840, entitled, "For the Supply of Bullock Carts and other means of Transport required for Her Majesty's Forces and their Baggage on Marches in this Colony;" shall be and the same are hereby repealed, except as to the repeal thereby of any former law, regulation, or ordinance; and except as to any fines or penalties thereby imposed, or as to any offences which may have been committed against the same. Provided, however, that in so far as the aforesaid provisions of the Ordinances above mentioned relate to bullock carts for which licences shall have been granted for the year 1848, before this Ordinance shall come into operation, the same shall continue in force until the expiration of the said year. Repeal of former Ordinance.

2. And it is further enacted, that no carriage shall be used on land at any place within this island, and that no boat shall be used on any river, lake, or canal within the same for the conveyance for hire as a public business of the goods of any persons, or for the like conveyance of any passengers, unless the owner of such carriage or boat shall have had the same registered in manner hereinafter mentioned, and shall have obtained a licence for the same from the Government Agent of the province in which such owner resides, or from some Assistant Government Agent thereof. And every such licence shall be on a stamp of 6s., and shall be in force until the 31st day of December of the year in or for which the same shall be granted, and no longer; and shall be as near as is material in the form in the schedule hereunto annexed, marked A. And the said licences shall be numbered consecutively, commencing at the beginning of every year with the number one. Provided always that no owner of any bullock cart for which a licence for the year 1848 shall have been granted before this Ordinance shall come into operation shall be required to register such bullock cart, or obtain the licence hereby required, until the period for which the Proviso. Carriages and boats to be registered and licensed.

CEYLON.

Declaration of ownership to be made before licence is granted.

said first-mentioned licence was granted shall have expired; anything herein contained to the contrary notwithstanding.

3. And it is further enacted, that no licence shall be granted as aforesaid until a declaration of ownership shall have been made and subscribed before the said Government Agent or Assistant Government Agent by the owner of the carriage or boat to be registered; which declaration shall be as near as is material in the form in the schedule hereunto annexed, marked B. Provided always, that if it shall become necessary to license any carriage or boat belonging to any corporate body, or company consisting of more than five co-partners and trading under a deed of settlement or partnership, such declaration shall be made and subscribed by the secretary of such corporate body, or company, or other person acting in such capacity. And provided also that if by reason of sickness, or absence from the island, or other cause any such owner shall be unable to attend before such Government Agent or Assistant Government Agent, such declaration may be made and subscribed by the Agent of such owner duly authorized in writing to make and subscribe the same.

A plate to be affixed to licensed carriages, &c.

4. And it is further enacted, that at the time when any such carriage or boat shall be licensed the Government Agent or Assistant Government Agent granting such licence shall issue to the owner thereof a plate on which shall be legibly painted or marked a number corresponding with the number of such carriage or boat mentioned in the licence for the same, together with figures or letters denoting the year in which such licence has been granted and the name of the place where such licence was obtained. And the said plate shall then be affixed on some conspicuous part of the said carriage or boat, in such manner that the number thereon shall be at all times plainly and distinctly visible and legible, and shall be kept and continued so affixed during the continuance of such licence: and the owner of such carriage or boat shall, at the expiration of the period for which the said licence shall have been granted, or on his ceasing to be the owner thereof, return the said plate to the Government Agent or Assistant Government Agent from whom it was received.

Licences to be registered.

5. And it is further enacted, that the said several Government Agents and Assistant Government Agents shall, and they are hereby required to keep a book, in which shall be registered all the particulars stated in the licences granted by them; and the said register shall be kept as near as is material according to the form in the schedule hereunto annexed, marked C, and every entry in such register shall be numbered in accordance with the number of the licence to which it has reference. And it shall be lawful for any person, at any time during office hours, to demand inspection of the said register, and also to take any copy or extract therefrom.

Penalty for letting unlicensed carriages, &c.

6. And it is further enacted, that if any person shall, contrary to the provisions of this Ordinance, use, or permit or suffer to be used, any carriage or boat belonging to him, for the conveyance for hire of goods or of passengers for which a licence has not been obtained as aforesaid; or after the expiration of the period mentioned in such licence, or without having the said plate affixed as aforesaid; or if he shall use the said plate, or suffer it to remain affixed as aforesaid, after the period for which it was given shall have expired; or shall neglect or refuse to deliver up such plate within one month after the expiration of such licence, or after he has ceased to be the owner of such carriage or boat; or if upon being thereunto required by any Justice of the Peace, Superintendent of Police, or Police Officer, of the place where such person shall reside, any such person shall refuse or neglect within a reasonable time to produce the licence for the same to such Justice of the Peace, Superintendent of Police, or Police Officer; then in every such case the owner of such carriage or boat shall be guilty of an offence, and liable, on conviction thereof, to a fine not exceeding 5*l.* for the first offence, and for the second and every other offence to a fine not exceeding 10*l.*; and the said carriage or boat, and every ox, horse, or other animal used for drawing the same shall, in every such case of a second or subsequent offence, be forfeited to the use of Her Majesty, her heirs and successors, if the Court before which such conviction shall take place shall so adjudge.

Penalty for false declaration, forgery of licence, &c.

7. Provided always and it is further enacted, that if any person shall wilfully make any false declaration to any of the matters hereinbefore required to be verified by declaration; or if any person shall counterfeit, alter, falsify, or forge any licence, or tin plate, or part of any licence or plate, issued under the provisions of this Ordinance; or if any person shall knowingly and without lawful excuse (the proof whereof shall lie on the person accused) have in his possession any false, forged, or counterfeit licence or plate resembling or intended to resemble, either wholly or in part, any licence or plate which at any time whatever hath been or shall or may be issued or used under the provisions of this Ordinance; then and in every such case every person so offending, and every person knowingly and wilfully aiding, abetting, or assisting any person in committing any such offence, and being thereof lawfully convicted, shall be guilty of an offence and shall be liable to be imprisoned with or without hard labour for any term not exceeding five years.

Owners of licensed carriages to be deemed common carriers.

8. And it is further enacted, that the owner of every such licensed carriage or boat used for the conveyance of goods for hire shall be held and accounted to be and shall incur all the duties and liabilities of a common carrier.

Not liable for loss of certain goods above five pounds unless delivered as such.

9. Provided always, and it is further enacted, that no such owner shall be liable for the loss of or injury to any article or articles of property of the descriptions following; (that is to say), gold or silver coin of this or any other country, or any gold or silver in a manufactured or unmanufactured state, or any precious stones, jewelry, watches, clocks, or time-pieces of any description, trinkets, bills of exchange, orders, notes or securities for payment of money, stamps, maps, writings, title deeds, paintings, engravings, pictures, gold or silver plate or plated article, glass, china, opium, silks in a manufactured or an unmanufactured state, and

whether or not wrought up into other materials or lace, or any of them contained in any parcel or package which shall have been delivered to be carried for hire or to accompany the person of any passenger when the value of such article or articles or property aforesaid contained in such parcel or package shall exceed the sum of five pounds, unless at the time of delivery thereof at the office, warehouse, or receiving house of such owner, or to such owner or to his driver, book-keeper, coachman, boatman, or other servant, for the purpose of being carried or of accompanying the person of any passenger as aforesaid, the value and nature of such article or articles or property shall have been declared by the person sending or delivering the same and such increased charge as hereinafter mentioned, or an engagement to pay the same, be accepted by the person receiving such parcel or package.

10. And it is further enacted, that when any parcel or package containing any of the articles above specified shall be so delivered, and its value and contents declared as aforesaid, and such value shall exceed the sum of five pounds, it shall be lawful for such carrier to demand and receive an increased rate of charge, to be notified by some notice affixed in legible characters in some public and conspicuous part of the office, warehouse, or other receiving house where such parcels or packages are received by them for the purpose of conveyance, stating the increased rates of charge required to be paid over and above the ordinary rate of carriage as a compensation for the greater risk and care to be taken for the safe conveyance of such valuable articles; and all persons sending or delivering any such parcels or packages at any such office shall be bound by such notice without further proof of the same having come to their knowledge.

Increased rate of charge for such goods.

11. And it is further enacted, that whenever any goods shall have been received for conveyance by any such licensed carriage or boat, whether the same be such goods as are mentioned in the 9th clause of this Ordinance or other goods, the person receiving the same for carriage on hire shall, if thereto required when the rate of charge shall have been paid, or an engagement to pay the same shall have been accepted, sign a receipt for the said goods; and if such receipt shall not be given when required, the carrier in addition to any other penalty or liability which he may incur by such refusal shall not have or be entitled to any benefit or advantage under the 9th clause of this Ordinance, and shall also be liable to refund any increased rate of charge he may have received in respect of the goods specified therein.

Carriers to give receipts.

Penalty in case of neglect.

12. Provided always, that no public notice or declaration by the owner of any such licensed carriage or boat shall be deemed or construed to limit, or in anywise affect his liability as a common carrier as aforesaid, for or in respect of any articles or goods to be carried and conveyed by him; but that all and every such owners shall be liable to answer for the loss of or any injury to any articles and goods in respect whereof they may not be entitled to the benefits of the 9th clause of this Ordinance, any public notice or declaration by them made and given, in anywise limiting such liability, to the contrary notwithstanding.

Publication of notice not to limit liability in respect of other goods.

13. And it is further enacted, that any one or more of the owners of any such licensed carriage or boat shall be liable to be sued by his, or their name or names only; and that no action or suit commenced to recover damages for loss or injury to any parcel, package, or person shall abate for the want of joining any co-proprietor or co-partner in such carriage or boat.

Any owner may be sued.

14. And it is further enacted, that nothing in this Ordinance contained shall extend or be construed to annul or in anywise affect any special contract between such carrier and any other party for the conveyance of goods and merchandizes.

Ordinance not to affect contracts.

15. And it is further enacted, that where any such goods as are mentioned in the 9th clause of this Ordinance shall have been delivered as aforesaid, and the value and contents declared as aforesaid, and the increased rate of charge, if any, paid, and such goods shall have been lost or damaged, the party entitled to recover damages in respect of such loss or damage shall also be entitled to recover back such increased charge so paid as aforesaid in addition to the value of such goods.

Parties entitled to damages may also recover extra charges.

16. Provided also, and it is further enacted, that nothing in the 9th section of this Ordinance contained shall be deemed to protect the owner of any such licensed carriage or boat from liability to answer for loss of or injury to any goods or articles whatsoever arising from theft or fraudulent conduct of any coachman, driver, book-keeper, boatman, or other person or servant in his employ or in charge of any such carriage or boat; nor to protect any such coachman, driver, book-keeper, boatman, or other person or servant from liability for any loss or injury occasioned by his or their own personal neglect or misconduct.

Owner liable for thefts committed by his servants, &c.

17. Provided also, and it is further enacted, that no such carrier shall be concluded as to the value of any goods whereof the value shall be declared in pursuance of the 9th clause of this Ordinance, but he shall in all cases be entitled to require from the party suing in respect of any loss or injury, proof of the actual value of the said goods by the ordinary legal evidence; and such carrier shall be liable to such damages only as shall be proved as aforesaid, not exceeding the declared value, together with the increased charges as aforesaid.

Owners liable to such damages only as are proved.

18. And it is further enacted, that in all actions brought against any such carrier for the loss of or injury to any goods delivered to be carried, whether the value of such goods shall have been declared or not, it shall be lawful for the defendant or defendants to pay money into Court in the same manner and with the same effect as money may be paid into Court in any other action.

Money may be paid into court

19. And it is further enacted, that every box, basket, package, parcel, or other thing whatsoever, not exceeding fifty pounds weight, brought to any coach-office, hotel, warehouse, or other place, by any licensed carriage drawn by horses for the purpose of delivery at any place within the gravets of Colombo, Kandy, Galle, or Matura (except where the same shall be directed to be left till called for), shall be delivered according to the direction thereof

Parcels brought by coaches to be delivered within six hours.

Ceylon.

- within six hours after the arrival of any such box, basket, package, parcel, or other thing, at such coach-office, hotel, warehouse, or other place, unless such arrival shall be between the hours of five in the evening and seven in the morning, and in that case every such delivery shall be made within six hours after such hour in the morning; and in default thereof the keeper of such coach-office, hotel, warehouse, or other place, shall forfeit and pay for every such offence any sum not exceeding twenty shillings.
- Parcels directed to be left till called for.** 20. And it is further enacted, that every such box, basket, package, parcel, or other thing brought to such coach-office, hotel, warehouse, or other place as aforesaid, which shall be directed to be left till called for, shall upon the demand of the person properly authorized to receive the same be delivered to such person without any charge or demand whatsoever, other than what is justly due for the carriage thereof, and the additional sum of two-pence for the warehouse room thereof; and if the same be not delivered to such person on such demand, or any charge other than as aforesaid be made or received in respect thereof, every keeper of such coach-office, hotel, warehouse, or other place, shall forfeit and pay for every such offence any sum not exceeding twenty shillings. Provided nevertheless, that if such box, basket, package, parcel, or other thing so directed to be left till called for, be not sent for from such coach-office, hotel, warehouse, or other place before the end of one week after the same is brought to such coach-office, hotel, warehouse, or other place, it shall be lawful to and for the keeper of such coach-office, hotel, warehouse, or other place, to charge and receive the further sum of one penny for the warehouse room thereof, and so in like manner if the same be not sent for before the end of the second or any subsequent week to charge the further sum of one penny weekly.
- Warehouse room.**
- Proviso for parcels not directed to be left till called for.** 21. And it is further enacted, that if any such box, basket, package, parcel, or other thing, brought to such coach-office, hotel, warehouse, or other place as aforesaid, which is not directed to be left till called for, shall, before the same is sent for delivery from such coach-office, hotel, warehouse, or other place, be demanded by any person properly authorized to receive the same, such box, basket, package, parcel, or other thing, shall be thereupon delivered to such person demanding the same; and it shall in such case be lawful to and for the keeper of such coach-office, hotel, warehouse, or other place, to charge and take the sum justly due for the carriage thereof, and also the sum of two-pence for the warehouse room thereof: but if the same be not delivered to such person on such demand, or any charge other than as aforesaid be made or received in respect thereof, the keeper of such coach-office, hotel, warehouse, or other place, shall forfeit and pay for every such offence any sum not exceeding twenty shillings.
- Rates of Coolie hire of parcels not exceeding 50 lbs.** 22. And it is further enacted, that the keeper of any coach-office, hotel, warehouse, and other place within the gravets of Colombo, Kandy, Galle or Matura, to whom any box, basket, package, parcel, or other thing whatsoever not exceeding fifty pounds weight is brought by any licensed carriage drawn by horses; or any coolie or other person employed by the keeper of any such coach-office, hotel, warehouse, or other place as aforesaid, in the delivery of any such box, basket, package, parcel, or other thing as aforesaid, within the gravets of any of the said towns, shall be entitled to ask, demand, receive and take, in respect of such delivery, the sums hereinafter mentioned; that is to say,
For any distance not exceeding one mile the sum of twopence.
For any distance exceeding one mile, but not exceeding two miles, the sum of fourpence.
For any distance exceeding two miles, but not exceeding three miles, the sum of sixpence; and so in like manner, the additional sum of twopence for every further distance not exceeding a mile.
- Penalty on taking more than the above rates.** 23. And it is further enacted, that if any coolie or other person employed in the delivery of such boxes, baskets, packages, parcels, or other things as aforesaid shall ask, or demand, or receive, or take of or from any person or persons in respect of such delivery any greater sum or sums than the rates or prices hereinbefore fixed in that behalf, such coolie or other person shall for every such offence forfeit a sum not exceeding ten shillings.
- Goods sent by bullock carts and boats to be delivered within twenty-four hours.** 24. And it is further enacted, that all goods and merchandize sent by any licensed carriage drawn by oxen, or by any licensed boat, for the purpose of delivery at any place within this island, shall, in the absence of any special contract to the contrary, be delivered according to the direction thereof within twenty-four hours after the arrival of any such carriage or boat at the place of delivery, and in default thereof the owner of such carriage or boat shall forfeit and pay for every such offence any sum not exceeding twenty shillings.
- Proof of licence to be on the accused.** 25. And it is further enacted, that if any prosecution or proceeding under this Ordinance any question shall arise as to whether any carriage or boat has been used for the conveyance for hire as a public business, of any goods without a licence; or as to whether a licence has been obtained for any carriage or boat within the meaning thereof; or as to whether any person has made the declaration required thereby; the proof that such goods were not conveyed for hire by the owner of such carriage or boat as his public business shall be upon the accused, and it shall only be necessary for the complainant to prove that goods belonging to any person other than the owner of such carriage or boat have been conveyed therein; and the proof that such licence has been obtained, or that such person has made such declaration, shall lie on the party against whom such prosecution or proceeding shall be had: provided that it shall be lawful for the Court to award a reasonable sum in lieu of costs to the accused against any person who may have made a vexatious complaint; and such sum shall be recovered in like manner as any fine imposed under the provisions of this Ordinance.
- Informer's share of penalty.** 26. And it is further enacted, that one-half of all the fines actually recovered and realized under the provisions of this Ordinance shall go to our Lady the Queen, and the other half to the informer.

27. And it is further enacted, that no prosecution shall be instituted in a police court against any person for any offence committed against any of the provisions of this Ordinance unless the same shall be commenced within one calendar month from the time of the commission of such offence.

CEYLON.

Limitation of prosecution.
Construction of terms.

28. And it is further enacted, that in the construction of this Ordinance the words "Carriage or boat" shall be deemed and construed to include every description of conveyance used either on land or water for the transport of goods or passengers or both; and that all words importing the singular number or the masculine gender only shall be understood to include several matters as well as one matter, and several persons as well as one person, and females as well as males, and bodies corporate as well as individuals; unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

Commencement of Ordinance.

29. And it is further enacted, that this Ordinance shall commence and take effect from and after the first day of April, One thousand eight hundred and forty-eight.

SCHEDULE.

(A.)

Number 149. Colombo, the day of 184 .

Whereas A. B. of Galkisse, in the district of Colombo (*C.D.* of *in the district of* *&c. &c.*) in pursuance of the Ordinance No. of the year has (or *have*) made and subscribed the declaration thereby required, and has (or *have*) declared that he is the sole owner (or *that they are the joint owners*) of the Bandy (or other description of carriage or boat, as the case may be) marked and registered number 149 , license is hereby granted unto the said A. B. (or *A. B., C. D., &c.*) to convey goods (or *passengers* or *goods and passengers*) therein for hire from the date hereof until the 31st day of December, 184 .

Given under my hand the day and year first above written.

(Signed)

Government Agent.

B.)

Number 149.

I, A. B. do truly declare that I reside at Galkisse in the district of Colombo, and that I am the sole owner of the Bandy (or *other carriage* or *boat*) which I have applied to be registered at the Colombo Cutcherry, and which has been registered number 149 .

Declared at Colombo the day of 184 .

(Signed)

A. B.

Before me
(Signed)

Government Agent.

(C.)

REGISTER of Carrier's Licences for the Western Province.

Number of Licence.	Date of Licence.	Name and Residence of Owner.	Description of Carriage or Boat.	Whether for Goods or Passengers, or both.

Passed in Council the Thirty-first day of January, One thousand eight hundred and forty-eight.

G. C. TALBOT, Acting Clerk to the Council.

Published by order of his Excellency the Governor,

J. EMERSON TENNENT, Colonial Secretary.

(No. 80.)

No. 12.

No. 12.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Answered by Nos. 252, 253, July 17, pages 331, 335.

Queen's House, Colombo,
April 14, 1848.

(Received May 29, 1848.)

MY LORD,

THE state of the financial prospects of the colony has already formed the subject of the several Despatches enumerated in the margin, which I have had the honour of addressing to your Lordship. I have also taken advantage of

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No. 20, June 8, 1847, page 5.
No. 47, July 8, 1847, page 11.
No. 153, Nov. 11, 1847, p. 17.

CEYLON)

other opportunities of casually recalling your Lordship's attention to a much less flourishing condition of our finances than I had previously been led to anticipate. The revenue has, for two or three years past, fallen considerably short of the expenditure, although many public works of importance have been postponed, or imperfectly carried out, owing to the want of adequate funds. I have already had occasion to notice the almost total cessation of the revenue derived from the sales of public lands.

On reviewing carefully the state and prospects of the colony in the Executive Council, many interesting discussions have taken place within the last few weeks. The question of a loan even has been anxiously considered.

Sir Emerson Tennent proposed a resolution, to the effect that a loan might be advantageously raised, in order to furnish the means for extending our internal communication. I enclose a copy of the resolution; but it is right that I should add, that I did not concur in the view which is taken in it, nor has it received altogether the assent of the Council.

The acting Auditor-General then laid on the table a statement arising out of the consideration of the proposal of the Colonial Secretary, to which I also beg to draw your Lordship's attention. It appears to me to advocate the raising of a loan for the general service of the colony, to enable it to pay its debts, and have specie in hand sufficient to relieve the Government from all immediate chance of difficulty.

On the other hand, I confess that I have myself felt extreme reluctance to burthen the colony with such a heavy weight as that of a loan to be raised in the public money market of India, the entire repayment of which must at best be remote, and the charge for the interest of which, in the interim, must be felt as a very serious incumbrance to the colony.

I therefore laid a Minute upon the table of the Executive Council, which embodied my views upon the subject. I would beg to request your Lordship's especial attention to the subject of it.

While I candidly admit that some assistance is indispensable, to enable the colony to meet the immediate pressure of its difficulties, I incline to think that I should be more justified in asking for some temporary relief from the Lords of Her Majesty's Treasury, in the shape of an advance on account of the future payment of the Queen's troops, and also for a remission of the payment of the 24,000*l.* a-year into the Queen's chest, than to go before the world as a borrower of money in the Indian market, to enable the colony, by increasing its prospective burthens, to relieve itself only temporarily of its difficulties. I have that confidence in the elasticity of our finances, and in the soundness of the measures already adopted, and shortly to be brought into operation, for increasing our resources, that I feel persuaded that we should be enabled gradually to repay any moderate advance made to us, without interest, by the Lords of Her Majesty's Treasury.

With a view to elicit the opinions of those who must be best acquainted with the financial state of the island, I referred the whole question, together with your Lordship's Despatch No. 170,* of the 5th February last, for the report of the Treasurer and Acting Auditor-General, and I beg to enclose a copy of their joint statement and recommendations, which do not materially differ from the views I had myself propounded in the Minute to which I have already drawn your Lordship's attention. The total probable balance in favour of the colony, on the 31st January last, including the Government notes on hand, amounted only to 83,883*l.*; but inasmuch as the total amount of Government notes, including those in circulation, is 87,400*l.*, it is evident that the payment of the current expenses of Government is dependent on the mere credit of its notes.

The receipts from the customs for the port of Colombo and the Western Province have diminished for the quarter ended 5th April, 1848, as compared with the same quarter of 1847, by the sum of 11,406*l.*, according to the statement which I enclose; and I fear that there is a further prospect of a diminution, rather than an increase, for the current quarter, owing to the diminished import of rice and paddy, caused in a great measure by the inability of the owners of coffee estates to employ any considerable number of labourers, and the general badness of the times, which occasioned a diminished import of duty-paying goods.

With a view to place before your Lordship our actual position in a clearer

* Page 326 of this Paper,

light, I further enclose a statement from the Audit Office, showing the probable comparative state of the balances of debits and credits of the colony on the 1st January, 1847, and 31st January, 1848, by which your Lordship will perceive that the colony is in a worse position by the amount of 58,108*l.*, in spite of all the efforts which I have strenuously made to reduce the expenditure within the narrowest limits, since my assumption of the Government.

I have felt very unwilling to delay this statement until the subsequent mail, or I might have been enabled to enter more largely into the more general questions of a reduction of expenditure, and the adoption of means for obtaining an increase of revenue. The present is undoubtedly a year of transition; but this once passed, I have every confidence that our resources will improve, and become, at no distant period, fully adequate to our expenditure.

I would beg, however, at once to remind your Lordship, that the great extension given to our fixed establishment by Lord Stanley, in 1845, puts it out of my power at present to reduce our expenditure in that branch of the public service, which might in some degree be able to bear it without detriment. The expenditure under that head alone, for the current year, will amount to 266,091*l.*, as will be seen from the accompanying table. From this table your Lordship will perceive that, during the space of five years, the *fixed* expenditure, over which the Council have no control, has increased to the extent of 51,000*l.*, and, during the last two years, at the rate of not less than 10,000*l.* a-year.

In conclusion, I have only to beg your Lordship's indulgence for any omissions which may be apparent in this Despatch; but I have felt that I could not delay the transmission of it, in justice to myself and to the members of the Executive Council.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

Enclosure 1 in No. 12.

Encl. 1 in No. 12.

Sir EMERSON TENNENT's Proposal with regard to a LOAN. Laid on the table of the EXECUTIVE COUNCIL.

THE Governor and Council cannot look without apprehension to the declining prices brought by Ceylon produce in the home market, and the increasing risk which the Ceylon planter has to encounter on his competition with foreign produce.

To meet that struggle, and even to bear up against the existing and increasing depression, one only expedient can be effectual, namely, the reduction of expenditure, and the diminished cost of production under every possible head.

But the one element which enters into every calculation of the cost at which produce can be raised and shipped, is the charge for internal carriage.

Notwithstanding the large expenditure for roads which has already taken place, and the anxiety of the colonial government to retrench in all other directions, in order to apply all available resources to this, there are still wide and most productive districts unopened by any road whatsoever, and from which the coffee is brought on men's heads a distance of 5, 10 and 15 miles, or even more, to the nearest highway traversable for bullocks or carts.

In such an operation, the damage to the coffee from rain and exposure is most detrimental, independently of the minor loss by delays and plunder.

The same serious consideration applies to every article of use or consumption sent up to the estates, the transport of machinery and tools, the conveyance of rice and provisions for the labourers, and the carriage of implements and stores of all kinds; all of which are more or less exposed to injury or pillage by the way.

But, independently of these indirect additions to the planter's expenditure and losses, the direct addition to his charges for carriage by men is enormous, as compared with the sum to which it might be reduced by conveyance by wheel carriages.

The planters of an extensive but almost unopened district, in a recent memorial to Government, have made the following exposition of what they find to be the relative cost of carrying coffee by men, by mules, and by carts:—

1 Cooly will carry	0½ cwt.
1 Mule	2½ „
1 Cart and horse	20 „

The distance travelled by each in a day may be taken at the same, so that it follows that one horse in a cart will take as much as 8 mules, or as 40 coolies. Taking the cost of a cooly at 9*d* for each working day—

	£.	s.	d.
1 Mule is equal to 5 coolies at . . .	0	3	9
1 Cart „ 40 „ . . .	1	10	0

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Thus, whilst the use of mules or pack-horses on bridle-roads would be a slight improvement on cooly labour, the superior advantages of cart carriage are too obvious to require an allusion.

This calculation, it will be seen, is based on another improvement, which cannot now be even attempted in Ceylon, namely, the substitution of horses for horned cattle as draught; for even on the present unmetalled roads it would be hopeless to attempt the adoption either of draught horses or an improved construction of carts and bandies, two objects of the last importance as matters of economy.

In addition to this depressing effect on the working of existing estates, the absence of means of communication compels, at the same time, the retention of vast tracks of valuable land in a state of nature, which, if pierced by roads, would speedily be converted into plantations, enriching at once the community and the Treasury.

On a representation of these facts to the Secretary of State, in February last, Her Majesty's Government felt so impressed with the duty of facilitating the transit of produce and stores, as to sanction the colonial authorities in offering to the projectors of a railroad a guarantee upon the insular revenues, equivalent to the value of interest on their expended capital. The prospect of relief in the shape of a railroad has now been withdrawn owing to the monetary crisis in Great Britain. The attention of the colony and the Council being thus turned inward on its own resources, no other alternative appears than to seek, in the construction of ordinary roads, those advantages which they can no longer hope for from a railroad.

The end and object being the same, it appears to the Governor and Council that Her Majesty's Government would not be indisposed to permit a resort to the same means as was then proposed, and to offer to capitalists a security on the custom-house revenues for the interest of a loan to be spent exclusively on the construction of public roads.

This should be applied to the metalling of existing roads, the completion of those unfinished, and the opening of those still required.

The principle of applying funds to the opening of roads, in proportion to sums subscribed by the owners of estates, can likewise be most beneficially extended.

And in all cases the imposition of tolls on the new and improved lines of communication may be so adjusted as to cover all charges for up-keep and interest on the expenditure.

The council are of opinion that the proposal of a loan to be available at once for these urgent purposes is the only satisfactory expedient in the present state of the colonial finances, inasmuch as the relief to be effectual must be prompt; and, as at present situated, the funds which may be found from time to time disposable for the use of the road department, could only be issued at such intervals, and in such sums, as would postpone almost to an indefinite period that effectual interference which is now so eagerly sought.

(Signed) J. EMERSON TENNENT.

Encl. 2 in No. 12.

Enclosure 2 in No. 12.

IN consideration of the proposed resolution which has been circulated by the Colonial Secretary among the Executive Council, the following points present themselves for decision:— 1st. Whether the Government is in need of a loan? 2nd. To what purposes it should be applied? 3rd. The amount? 4th. The terms upon which it should be raised, and the nature of the security to be given?

Upon the first point it is, I fear, but too clear that an answer must be given in the affirmative. The Government has lately passed, or is now to pass, various Acts, from which there is every reason to hope for a considerable accession of revenue, when a sufficient time has been allowed for the operation of their provisions. But there can be no doubt, that before the close of the current year, and before those hopes can be realized, the Government will find itself very seriously embarrassed by want of money, that is, specie; and it should not be lost sight of, that these difficulties will not be attributable to any of the recent measures of the Government, but must have occurred to the same extent, even if the Governor had, from the time of his arrival, been content to leave matters as they were, and having found that the supposed surplus cash did not exist, had refrained from any attempt at the improvement of our financial system. As, however, his Excellency has made great efforts to that end, it appears to me that the Council is bound to give him every support in soliciting from the Secretary of State permission to raise a sufficient sum by way of loan, to enable the Government to meet the demands upon it at the present moment, without resorting to a prejudicial contraction of its operations.

2nd. The Colonial Secretary proposes that the loan be expended "exclusively on the construction of public roads;" and it is upon this point that I regret being obliged to differ in opinion with him, for two reasons, because I entertain great doubts of the possibility of an useful application of the money for that purpose only within a short time,—and because it is very questionable whether Her Majesty's Government would lend their sanction to such an arrangement. No one can be more alive than myself to the value of roads both in a public and a private point of view, nor to the urgent call which there now is upon the Government to enable the colonists to meet the pressure of the times by every legitimate means of relief; but, notwithstanding, I cannot support the proposition of a loan for that purpose alone. It is not money only that is wanting, but means, in the shape of labour and superintendence; and were it once known that the Government had at its command funds available for road-making,

CEYLON,
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there is but too much reason to fear that it would be beset with applications for assistance in carrying out ill-digested schemes; and that ultimately a large proportion of the funds would be found to have been squandered on unproductive works, notwithstanding the pains that might have been taken to prevent such a result. I believe, moreover, that when the general financial transactions of the Government have been brought into that satisfactory condition into which we have lately been endeavouring to bring them, there will then be found no difficulty in assigning sufficient funds, from time to time, for the maintenance and extension of our means of communication, and for other public works; while the fact of those funds having to be provided out of the general revenue, will go far to ensure a cautious and discriminating application of them. Instead, therefore, of raising a loan for road-making, I would beg to suggest, for the consideration of the Governor and the Council, that it should be applied to the payment of existing debts, and to placing the Government beyond the reach of temporary embarrassment for want of money.

3rd. The amount of the loan to be raised must be fixed, if my proposition be adopted, with reference to the amount of our debts and the state of the cash balances in the hands of the different accountants. It may be stated roughly that we are now indebted to the different Governments of India about 22,000*l.*, that a demand was received by the last mail for repayment of the sum of 10,000*l.*, and that in the course of the year the agent for the Colony in London must be furnished with 40,000*l.*, making in all 72,000*l.*, against which may be set advances made on account of Queen's Pay to the troops, for which bills have not been drawn amounting to 15,000*l.*, leaving a balance of 57,000*l.* to be provided for.

It is therefore clear, that we cannot in the course of this year hope to be able to pay off the existing debt in India, and find funds for the agent in London; and it is still more clear that we cannot obtain further supplies of specie from India, which must be required, without increasing our debts there. Then as to the state of the cash balances. There is not, in all probability, at this moment more than 80,000*l.*, notes and specie together, in the different cash chests, at any rate not more than 87,000*l.*, the amount of our paper currency. Although in theory that paper currency may be considered a debt due from the Government, I have never been able to discover that any harm can result from it, as long as our finances generally are in a good state; on the contrary, it is a great convenience. But, on the other hand, there can be no doubt, that if our stock of specie is greatly reduced, we may be put in great difficulties by the existence of our paper currency; and, in that view, it seems very impolitic to allow our balances to remain in their present low condition. I think, therefore, that the loan to be raised should be for 150,000*l.*, to be applied as follows—40,000*l.* to be made over to the agent in London, 22,000*l.* to be paid to the Government of India, and the remainder to be imported in specie as required.

4th. In discussing the security to be given for the proposed loan, the Colonial Secretary, in his draft resolution, alludes to views expressed by the Secretary of State as to the security to have been given regarding the proposed railroad; but not having seen any of the despatches to which he refers, it is impossible for me now to draw any conclusions as to the view which Her Majesty's Government may be disposed to take of the present proposition. Whether they would have been prepared to pledge any part of the revenue for the payment of the interest and principal of a loan for road-making only, is to me very questionable; but I cannot but hope they may be induced to view with favour such a proposition, when it is shown that the loan is intended simply to enable the Government to pay its debts, and to give the measures upon which it has resolved a fair chance of working out the result hoped for. Should their approval fortunately be obtained, an ordinance might be introduced, declaring that the payment of the interest and of a certain portion of the principal should constitute the first charge upon the revenue of the colony, until the whole were paid.

I cannot close this memorandum without adverting to the possibility, indeed the probability, of its being found necessary at the time of, or prior to, the introduction of the ordinance, to make a strict inquiry into the expenditure of the colony, more especially that for the fixed establishment.

March 31, 1848.

(Signed)

P. E. WODEHOUSE.

Enclosure 3 in No. 12.

Encl. 3 in No. 12.

MINUTE by the GOVERNOR, laid upon the table of the EXECUTIVE COUNCIL.

I HAVE well considered in all its bearings the subject of the proposed loan; and I have been led by a rigid examination of the objections which may be urged against such a measure, both in point of policy as regards the future interests of the colony, and in point of expediency as regards my own position in the face of Her Majesty's Government, to place before you the following points for consideration.

It appears to me, that we have in the first place to regard a loan raised in the public money market of India, as a thing of all others to be avoided, if possible. I grant that it would be a great advantage to this colony to pay off its existing debts, and to have money in hand to meet all the immediate necessities of the government, and to promote the improvement of the country. But the purchase of those advantages by the immediate contraction of a new debt, bearing interest on its amount, and hanging like an incubus upon the colony for a period, which though nominally fixed in the first instance, it would be impossible absolutely to deter-

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mine; I confess that I should be very reluctant to leave such a burden for my successor to have to provide for, whenever the time may come for me to surrender the government into the hands of another. It may even be very doubtful whether Her Majesty's Government would give their sanction to the raising any considerable amount of money by loan (even to the extent of 100,000*l.*), unless there were some near prospect of a pearl fishery, or a certainty that a productive land tax could be very speedily and surely brought into operation. I am quite aware, however, that we must find money, and that without delay. But I should wish to ascertain the minimum amount, which is immediately and absolutely required. Seeing that our clear debt in India is not much above 23,000*l.*, I think that 20,000*l.* would suffice to quiet at least the demands in that quarter. Probably 30,000*l.* would suffice for the agent in London, in addition to the Queen's pay of troops, &c.; and I should think that 20,000*l.* more would suffice for immediate use within the colony. The proposal which I have to make therefore is this: 1st. That the Lords of the Treasury be requested to advance to this colony on account of the future pay of Queen's troops, being in the mean time of course a debt against the colony, the sum of about 70,000*l.*; 2nd. That we may be authorized to draw upon the British Treasury to the extent of 40,000*l.* out of that amount, because the bills are saleable at a high premium, and that the remainder be paid over to the agent in London in such sums as from time to time or immediately may be required.

If the Lords of the Treasury should accede to this plan of temporary relief, we should in the first place escape the payment of interest, which would be even in itself a serious charge upon the revenue of the colony were a loan to be raised. We should also gain the advantage of the premium on the sale of the bills here or in India, instead of having to pay a premium for bills purchased on account of this government with money borrowed in India to be remitted to the agent in London.

By this measure also, I incline to think, there would be a better prospect of getting relieved of the charge of the 24,000*l.* a-year, than if we borrowed money on loan to pay it as part of our current expenses.

Encl. 4 in No. 12.

Enclosure 4 in No. 12.

SIR,

Colombo, April 10, 1848.

WE have now the honour to acknowledge your letter of the instant, calling upon us for a report upon the whole subject involved in the Despatch from the Secretary of State, No. 170,* of the 5th February last.

* Page 326.

We have inferred from the tenor of your letter, and from the late discussions in the Executive Council, that it is the wish of his Excellency, the governor, that we should on the present occasion state, as fully as the time will permit before the departure of the next mail, our views upon the present condition of this government in respect of money, and the means by which embarrassment in the administration of the affairs of the colony can best be averted.

We have, therefore, referred to the Minutes recorded in the Executive Council by the Colonial Secretary, the Acting Auditor-General, and lastly, by his Excellency the governor, upon the proposal for negotiating a loan; as also to the Despatches enumerated on the margin, which have been passed between the Governor and the Secretary of State respecting our circulation; and lastly to proposals made on behalf of the Oriental Bank, relative to the grant of a charter to them, the transfer to them of the whole or a portion of the public business now transacted by the Treasurer, and the redemption by them of the government paper now in circulation.

We gather from Lord Grey's Despatch, No. 66* of the 6th August last, that he does not consider a government paper currency objectionable, and from his Despatch to Governor Grey.

1st. That banking or dealing in money has no proper connection with issuing paper money.

2nd. That issuing paper money ought to be regarded as coining has always been, an attribute of sovereignty, or, at least, should be retained in the hands of the government.

3rd. That in principle the issue of paper money by other parties ought to be strictly prohibited.

We infer that his Lordship would be prepared to carry out these principles to their full extent, where no existing interests rendered a modification of them necessary. But as such interests do exist here, we think it may be assumed that his Lordship would limit himself to the maintenance of such a government paper currency as the transactions of the colony require; and to the discouragement of the issue by the local banks of a greater amount of paper money than that which they now have in circulation. The latter operation will be the inevitable result of the maintenance of an adequate government paper circulation. If our interpretation of Lord Grey's Despatches be admitted to be correct, it may be at once assumed, that Her Majesty's Government will not assent to any arrangement involving the redemption by the Oriental Bank of the existing government paper, or the transfer to that establishment of the right of issuing paper money hereafter. The question then presents itself, whether there are grounds for recommending at present either an extension of the government paper money, or a contraction of the issues already in circulation.

As regards an extension, we see no sufficient reason to justify such a measure. It is true that the amount at present in circulation, viz., 87,400*l.* is no more than was in circulation many years ago, when the various coffee, sugar, and-cocoa nut plantations, now spread over the

From the Governor, No. 20, June 8, 1847.
From the Secretary of State, No. 66, August 6, 1847.
From the Governor, No. 47, July 8, 1847.
From the Secretary of State, No. 90, September 21, 1847.
From the Governor, No. 163, November 11, 1847.

* Page 322.

island were not in existence, and when our mercantile transactions were on a comparatively very small scale. But we cannot undertake to state, that positive inconvenience has of late years been caused to the trading community from the limited amount of paper money issued on account of government, and are much inclined to agree with the statement made in Mr. Bernard's Report, transmitted with the Governor's Despatch of the 6th November last, to the effect that the facility given to the settlement of accounts by transfers in the books of the banks has tended to keep down the demand for paper money; and as unfortunately there is reason to apprehend a considerable diminution on our commercial transactions for some time, we see no reason to recommend an increase of government paper for the convenience of the public. Neither would we propose any increase of it, as a means of relieving the Government from pressure for want of funds to meet the current expenditure, as we are confident that with so small an amount of specie as now is, or must soon be in the possession of the Government, an increased issue of paper money would afford no relief, even for a very limited period.

While, however, we refrain from suggesting any increase in the amount of the issues of Government paper, we are of opinion that, for many reasons, it would not be expedient to diminish them to any serious extent. At present, indeed, it cannot be done, as the Government could not carry on the administration with the funds in its hands, exclusive of the notes.

We admit that, in theory, notes payable in specie on demand are a debt, but we see nothing in that theory to prevent an entire assent to the doctrine laid down by Lord Grey in the following paragraph of his Despatch, No. 66,* of the 6th August last:—

* Page 322.

"Now I am far from thinking that such a currency is necessarily objectionable; on the contrary, if issued under proper regulations to guard against excess, I consider that it may form a medium of exchange not less safe than a metallic currency, and at the same time much cheaper and more convenient, therefore effecting an important saving of the capital of the community."

The meaning of which we apprehend to be, that the Government or the public must be the gainers by a free circulation of paper money, provided it is not allowed to exceed what the parties by whom it is issued have a real and substantial expectation of being able to exchange from time to time on demand.

We cannot say that we are now in this sound position, but must admit that the amount of paper money is excessive, or is likely to be in comparison with the specie available to meet it. While making this admission, however, we must state distinctly, that if the attempt be made to reduce the paper money to its due proportion to our other funds, the Government cannot at present be carried on upon its existing footing, nor upon any other which we can suggest. Our finances have been brought to this low ebb by causes to which we shall hereafter refer; but as we confidently look to a material improvement of the revenue, resulting from the late measures of the Government, we trust that Her Majesty's Government may be induced not to direct a contraction of the paper currency, but to authorize us to take steps for keeping up such a supply of specie as will meet the current demands, and at the same time remove all fear of inability to exchange any of the notes that may be presented.

Another argument may also be adduced against the withdrawal of our notes, viz., that the Oriental Bank will probably, on being informed of the determination of the Government to continue its issues of paper money, cease its efforts to introduce its own papers, which the population are very unwilling to accept, and that there is reason to believe that the transactions of the Ceylon Bank are rapidly diminishing. The public will thus again become dependent for paper money entirely upon the Government issues. We ought, however, to add, that in the event of Her Majesty's Government considering it necessary to withdraw any of the paper money from circulation, it can be done gradually, under the rules now in force, by simply abstaining from issuing new notes in lieu of the worn out ones which are from time to time called in and cancelled. Time will not admit of now submitting a statement of the amount of Government paper actually circulating from time to time in the colony, exclusive of the notes comprised in the balances of the several calcherries, but we believe we may safely estimate them at from 40,000*l.* to 45,000*l.* The notes are payable on demand only at the Treasury in Colombo, and it is only there that they ever accumulate in large sums through the instrumentality of the local banks. We therefore think that it is the business of the Government to take steps to prevent the amount of specie at the command of the treasurer from falling materially below that sum.

We shall now address ourselves to the application made by the Colonial Agent for a remittance for the service of the year, and in the consideration of it, to point out how, in our opinion, provision can best be made for carrying on the Government during the year.

From a statement submitted with Sir J. Emerson Tennent's Despatch, No. 19,* of the 10th May, 1847, we learn that the balance in favour of the colony, on the 1st January, 1846, was 216,860*l.*, which at the close of that year had fallen to 141,992*l.* The following may be stated, with very little allowance, as our position on the 31st January, 1848:—

* Vide Parliamentary Paper, "Reports on Blue Books," 1847.

Balance of cash in the cash chests of the island, 31st January, 1848	£97,324
Balance of agent in London, 31st December, 1847	2,051
Balance in favour of the colony for Queen's pay, 31st January, 1848	5,699
	£105,074
Amount due to Indian Governments, 31st December, 1847	21,191
	£83,883

It will be seen that in the two years and one month from the 1st January, 1846, the expenditure of the colony has exceeded its revenue by no less than 132,977*l.*

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It is clear that such a state of things cannot last, but the expenditure of the colony must be reduced, and we are aware that the Government has for some time been anxiously turning its attention to that object; but we are equally aware that a great portion of the expenditure is beyond the control of the Governor. Lord Stanley in 1845, with the view of enlarging the field from which public servants were selected, incorporated into the civil service then created a number of persons employed on services of a purely temporary nature, dependent upon the actual demands of the colony, such as civil engineers, assistant surveyors, assistant to the Commissioner of Roads, schoolmasters and others, and the consequence has been, that although the Government has been forced to suspend the only services upon which these persons could be usefully employed, it has been unable to clear itself of the payment of their salaries. Having been confirmed in their appointments by the Secretary of State, they have acquired a vested right to them in like manner with any other public servant appointed or confirmed by Her Majesty's Government.

We are confident that a considerable saving might be effected by means of a fair and cautious inquiry into this branch of the expenditure, both civil and military; but before that is entered upon, we beg to submit that Her Majesty's Government should be requested to lay down the terms upon which any person whose offices may be abolished or reduced are to be dealt with. While also we contemplate a reduction of the expenditure, we have no reason to doubt that there will be a considerable increase of revenue consequent on the late measures of the Government, and therefore it is that we are led to hope that Her Majesty's Government will not refuse to lend us temporary assistance.

We concur in the opinion expressed by his Excellency the Governor, that it will be desirable if possible to obtain the assistance direct from the Lords of the Treasury, even if they should be unable to waive a demand for interest, and upon full consideration of all that has been adduced, we beg to recommend an application to them to the following effect:—

That they will advance to the agent in London, as required, 40,000*l.* for the service of the year 1848, and that they will permit us to draw bills upon them in addition to those due in repayment of advances to the troops, to such amount not exceeding 60,000*l.*, as may be required, to pay off our debts to the Indian Government, and provide the treasurer throughout the year with specie to the extent laid down above.

If fortunately the claim now made upon the colony for 24,000*l.* per annum for its military expenditure is abandoned, a large proportion of it can be devoted to the liquidation of the principal of the debt to be thus contracted, and we have no doubt that the interest can be more than met by the reduction of the fixed establishments.

In conclusion, as we learn that the Governor has already directed the application of the whole of our credits for ordinances to the troops during this year to the payment of the 10,000*l.* lately claimed by the Secretary of State, and a small provision for the agent in London, we beg to take upon ourselves the responsibility of recommending that no further remittances be made to England, until the Governor shall have received a reply to the despatch with which this report is, we believe, to be forwarded to the Secretary of State, upon the understanding, however, that no bills shall in the interval be drawn upon the Lords of the Treasury for any other service.

We have, &c.,

(Signed)

F. J. TEMPLER,
P. E. WODEHOUSE.

Encl. 5 in No. 12.

Enclosure 5 in No. 12.

CUSTOMS RECEIPTS for the Quarter ended 5th April, for the Western Province.

Ports.	1847.	1848.	Increase.	Decrease.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Colombo	43,711 15 4	32,115 11 0	..	11,596 4 4
Negombo	1,823 17 3	1,604 12 10	..	219 4 5
Calpentyne	374 1 8	532 7 2	158 5 6	..
Pantura	749 0 8	819 11 4	70 10 8	..
Caltura	901 15 7	988 16 3	87 0 8	..
Barberyn	1,451 7 4	1,544 2 11	92 15 7	..
Western Province . . . £	49,011 17 10	37,605 1 6	..	11,406 16 4

Duty on Cinnamon:—

5 April, 1847	£. s. d.
5 April, 1848	7,784 19 0
	1,875 17 0

Decrease £ 5,909 2 0

Decrease on Cinnamon Exported 5,909 2 0

On other various Goods Imported and Exported 5,497 14 4

Total Decrease £ 11,406 16 4

Enclosure 6 in No 12.

CEYLON.

STATEMENT showing the probable Balances in favour of the Government of Ceylon, on the 1st January, 1847, and the 31st January, 1848. Encl. 6 in No. 12.

On the 1st January, 1847.		£.	s.	d.
Balance in the hands of the Public Accountants in Ceylon		126,885	12	4
Ditto Agent in London		8,721	17	9
Ditto Government of Bombay and Agents at ditto		508	6	0½
Ditto Government of Hong Kong		627	8	9½
Credit with the Lords Commissioners of Her Majesty's Treasury for advances made to the Queen's Pay and Ordnance Departments		9,544	3	7½
	£	146,287	7	7
<i>Deduct.</i>				
Balance due to the Presidencies and Agents at Calcutta and Madras		4,294	10	5½
Balance in favour of the Ceylon Government		141,992	17	1½

On the 31st January, 1848.		£.	s.	d.
Balance in the hands of the Public Accountants in Ceylon		97,324	12	2
Ditto, in the hands of the Agents in London	£.	12,051	3	11
Deduct due to the Lords of the Treasury		10,000	0	0
		2,051	3	11
Credit with the Lords Commissioners of Her Majesty's Treasury		5,699	6	0½
Balance due by the Agent at Bombay		903	15	8
Ditto Hong Kong Government		352	18	2½
	£	106,331	16	0
<i>Deduct</i>				
Balance due to the Governments of India and the Colonial Agents at Calcutta and Madras		22,447	15	4½
		83,884	0	7½
Deficit	£	58,108	16	6½

Enclosure 7 in No. 12.

Encl. 7 in No. 12.

FIXED EXPENDITURE sanctioned by Her Majesty's Government.

In 1844	£215,423
In 1845	223,255
In 1846	246,026
In 1847	255,984
In 1848	266,091 (estimated).

(No. 88.)

No. 13.

No. 13.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Pavilion, Kandy, May 3, 1848.

(Received June 26, 1848.)

MY LORD,

I HAVE the honour to transmit to your Lordship the Ordinance, No. 5,* of the present year, "To make provision for the registration and licensing of certain traders," &c., which was passed by the Legislative Council on the 10th ultimo.

The operation of this Ordinance is limited to the towns, forts, and gravets of Colombo, Kandy, and Galle, which are the principal towns in the island, and the retail traffic of which is both large in amount and profitable to those by whom it is carried on. As it was by no means intended that a burthen should be imposed upon the smaller class of traders who gain their living honestly, laboriously, and even sparingly by the sale of minor articles of small value, but commonly in demand among the poorer part of the population, it is provided that the occupation of a shop, or retail store of the annual rental of 5*l.* shall be the test of liability to incur the expense of a license to trade. By the 6th clause, it is provided that every such license for the period of one year shall be upon stamped paper of the value of 1*l.* sterling. The value of the rental of any shops, houses, or premises in which goods are or are intended to be exposed

* Vide Extract of Mr. Wood's Report on this Ordinance, dated July 5, 1848, Appendix 3 to this Paper, p. 376.

CEYLON.

for sale, is, according to the 3rd clause, to be ascertained by a committee of householders, consisting of not more than five nor less than three persons, to be from time to time nominated and appointed by the Governor for that purpose, and to receive remuneration for their services at the Governor's discretion. The other provisions of the Ordinance are simply to ensure the registration of licensed traders, and to enforce the operation of the Ordinance by information and penalty.

In requesting that your Lordship may be pleased to recommend this Ordinance for the confirmation of Her Majesty, it becomes my duty to remark, that it is intended that the greater portion of the revenue which will be derived from the licenses exacted by it, shall be expended, directly or indirectly, upon matters of local interest within the towns themselves; that there are at present no means of compelling traders, principally wealthy Moormen, Malabar merchants, &c., whose wants are few, and whose profits are large, and who successively carry away from the island the savings which they have accumulated, to contribute their fair proportion towards the maintenance of the public institutions. The payment of 1*l.* per annum by each individual will simply be equivalent to adding that amount to his rental; but the registration of these traders will have the further advantage of bringing them more readily and directly under the cognizance of the police.

By the natives themselves it can scarcely be felt to be a hardship; and it will be remembered that in former times every trader, every artificer, and every mechanic in the island, was bound to the Government in a certain portion of service. The labour of their hands for the benefit of the Government was the equivalent in lieu of the payment of a tax. In many instances, at a subsequent period, the payment of a direct poll-tax, as in the case of Moormen merchants, was substituted for personal labour, and ultimately both the one and the other were abandoned by the Government, without the substitution of any equivalent. The gain was felt, though the liberality which dictated it was not fully appreciated by the people.

The opinions of several of the most intelligent native residents have been solicited, and the information which I have received affords me every encouragement to request your Lordship to recommend this Ordinance for Her Majesty's confirmation, as calculated to conduce to the benefits of this Government, without in any degree whatever inflicting injury or hardship upon those persons who will be affected by its operation.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c.

(Signed) TORRINGTON.

Encl. in No. 13.

Enclosure in No. 13.

ORDINANCE enacted by the Governor of Ceylon with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 5.

To make provision for the registration and licensing of certain traders.

Preamble.

WHEREAS it is expedient to provide for the registration and licensing of persons who shall keep wholesale or retail stores, shops, or boutiques, in certain towns in this island;

Shopkeepers to be licensed.

1. It is therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that from and after the first day of July next ensuing, it shall not be lawful for any person to keep any wholesale or retail store, shop, or boutique, which shall be of the annual value or rental of five pounds sterling, or upwards, for the sale of any goods, wares, or merchandize, within the towns, forts, or gravets of Colombo, Kandy, or Galle, without having obtained a license for that purpose, as near as is material according to the form in the Schedule hereunto annexed, marked A, from the Government Agent, or some Assistant Government Agent of the province in which such town is situated. And any person who, contrary to the provisions of this ordinance, shall by himself, or by any agent, servant, or other person on his behalf, sell or dispose of, or cause or permit to be sold or disposed of on his account, whether by auction or otherwise, or shall expose or offer to sale, in any such store, shop, or boutique, as aforesaid, any goods, wares, or merchandize whatever, without having a license which shall be then in force, or contrary to the tenor thereof, shall be guilty of an offence, and liable, on conviction thereof, to a fine not exceeding five pounds. Provided always that one license only shall be required for any number of persons in copartnership.

Possessor of goods exposed to sale to be deemed the shop-keeper.

2. And it is further enacted, that for the purposes of this ordinance, the person in the actual possession of any goods, wares, or merchandize, exposed or offered to sale in any such store, shop, or boutique, shall be deemed and taken to be the keeper of such store, shop, or boutique,

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as aforesaid, unless the person in possession shall be the agent or servant of some other person who has obtained a license for such store, shop, or boutique, which shall be then in force (the proof whereof shall lie on such agent or servant). And that the assessment made in manner hereinafter provided shall be conclusive evidence of the annual value or rental of any house, room, or other premises, in which any store, shop, or boutique shall be kept.

3. And it is further enacted, that it shall be lawful for the Governor to nominate and appoint within and for each of the said towns, a Committee consisting of not more than five, nor less than three persons, being resident householders therein, for the purpose of determining which of the houses, rooms, or other premises therein in which goods, wares, or merchandize shall be sold or disposed of, or offered or exposed to sale, or which it shall be intended to use for that purpose, are of the *bonâ fide* annual value or rental of five pounds. And in case any person so appointed shall die or resign, or shall, in the opinion of the Governor, become incapacitated to discharge his duties, or misconduct himself, the Governor may, at his discretion, appoint another person in the room of the person so dying, resigning, misconducting himself, or becoming incapacitated.

Committee to be appointed to assess the value of shops.

4. And it is further enacted, that every person so appointed shall be entitled to receive such remuneration as the Governor may in his discretion award.

Members of committee entitled to remuneration.

5. And it is further enacted, that the said Committee shall and is hereby required, on the application of the Government Agent of the province, or of any person who shall be, or shall intend to become, the keeper of any store, shop, or boutique, as aforesaid, in the town for which such Committee shall be appointed, without unnecessary delay proceed to inquire into, and according to the best of its information and judgment, ascertain and assess the *bonâ fide* annual value or rental of any house, room, or other premises in such town, which shall be used, or which it shall be intended to use, as a store, shop, or boutique, as aforesaid: and for that purpose it shall be lawful for the said Committee, or any member thereof, or for any person in company with or authorized in writing by any such member to enter into and upon any such house, room, or other premises, and to do or cause to be done therein or thereupon all such things as may be necessary to enable such Committee to ascertain and assess the annual value or rental of such house, room, or other premises. And such Committee shall without delay report the assessment so made by them to the Government Agent of the province, who shall thereupon cause the same to be entered in a book which shall have an index or other convenient form of reference, and shall be kept at his office for public inspection.

Committee to assess value of shops.

6. And it is further enacted, that every license obtained under the provisions of this Ordinance shall be on a stamp of one pound sterling, and shall be in force until the thirty-first day of December of the year in or for which the same shall be granted, and no longer: and the said licenses shall be numbered consecutively, commencing at the beginning of every year with the number one.

Licenses to be stamped; how long to be in force, &c.

7. And it is further enacted, that the said several Government Agents and Assistant Government Agent shall, and they are hereby required to keep a book in which shall be registered all the particulars stated in the licenses granted by them under the provisions of this ordinance, and every entry in such register shall be numbered in accordance with the number of the license to which it has reference; and it shall be lawful for any person at any time during office hours to demand inspection of any such register, and also to take any copy or extract therefrom.

Licenses to be registered.

8. And it is further enacted, that if any person shall forge or counterfeit, or shall cause or procure to be forged or counterfeited any license, or part of any license issued under any of the provisions of this Ordinance, or if any person shall knowingly and without lawful excuse (the proof of which excuse shall be on the person accused), have in his possession any false, forged, or counterfeit license, resembling or intended to resemble either wholly or in part any license which at any time whatever hath been or shall or may be issued or used under any of the provisions of this ordinance, then and in every such case the person so offending, and every person knowingly and wilfully aiding, abetting, or assisting any person in committing any such offence, and being thereof lawfully convicted, shall be liable to be imprisoned with or without hard labour for any term not exceeding five years.

Penalty for forging Licenses, &c.

9. And it is further enacted, that if the keeper of any store, shop, or boutique, as aforesaid, upon being thereunto required by any justice of the peace, superintendent, or inspector of police, of the place where such person resides, shall refuse or neglect within a reasonable time to produce his license to such justice of the peace, superintendent, or inspector of police, he shall be guilty of an offence, and liable on conviction thereof to a fine not exceeding five pounds for the first offence, and for the second and every other offence, to a fine not exceeding ten pounds.

Penalty on nonproduction of License when lawfully demanded.

10. And it is further enacted, that if in any prosecution or proceeding under this ordinance, any question shall arise as to whether a license has been obtained within the meaning thereof, the proof that such license has been obtained shall be on the party against whom such prosecution or proceeding shall be had: provided that it shall be lawful for the Court to award a reasonable sum in lieu of costs to the accused against any person who may have made a vexatious complaint, and such sum shall be recovered in like manner as any fine imposed under the provisions of this Ordinance.

Proof of License.

11. And it is further enacted, that one-half of all the fines actually recovered and realized under the provisions of this Ordinance shall go to our Lady the Queen, and the other half to the informer.

Informer's share of penalty.

12. And it is further enacted, that no prosecution shall be instituted against any person for any offence committed against any of the provisions of this Ordinance, cognizable by the Police

Limitation of prosecution.

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Ordinance when to
take effect.

Court, unless the same shall be commenced within one calendar month from the time of the commission of such offence.

13. And it is further enacted, that this Ordinance shall commence and take effect from and after the promulgation thereof.

SCHEDULE (A).

No. 497.

Colombo, the day of
By virtue of the Ordinance No. of the year 1848, license is hereby granted to Meera Lebba Marcar (or to the firm of A. B. and Co., as the case may be), to keep a shop (store or boutique) at No. 5, in the main street of the Pettah of Colombo, for and during the year 184 .

Given under my hand the day and year first above written.

(Signed)

Government Agent.

Passed in Council the Tenth day of April, One Thousand Eight Hundred and Forty-Eight.

G. C. TALBOT,

Acting Clerk to the Council.

Published by order of His Excellency the Governor,

J. EMERSON TENNENT, Colonial Secretary.

No. 14.

(No. 90.)

No. 14.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Pavilion, Kandy, May 5, 1848.

(Received June 26, 1848.)

Answered July 14, MY LORD,

1848, No. 250, page
331.

* Page 94.

IN my Despatch (No. 52*) of the 7th March last, transmitting to your Lordship the Ordinance, No. 3, of the present year, to provide "for the registration of Carriages and Boats used for the conveyance of goods and passengers for hire, &c.," I stated that a separate Ordinance would, with little doubt, shortly pass the Council, to provide for the registering and licensing of palanquins and other carriages let to hire for purposes of pleasure or private convenience, and for bringing this description of traffic under a proper degree of regulation and control.

The Ordinance No. 7 of the present year, which I have now the honour to submit for your Lordship's consideration, was accordingly passed in Council on the 10th ultimo for effecting this object. Its provisions are sufficiently simple; and do not materially differ in their nature, and the mode by which it is proposed to enforce them, from those of the Ordinance already named; but in the present Ordinance the stamp-duty of 1*l*. sterling will be levied upon every license issued for the space of one year, instead of a duty of 6*s*. only, which was chargeable for every license issued under the preceding Ordinance. The reason for this difference is obvious, viz., that the description of carriages to which the Ordinance No. 3 applied are such as were used for mercantile purposes, and for the ordinary and necessary traffic of all classes throughout the island.

But the carriages to which the present Ordinance applies are of entirely a different description. The common carriage in use here for private convenience is the palanquin carriage on four wheels, drawn generally by one horse. A vast number of these are constantly plying for hire about the principal towns of the island without being subject to any proper regulations, and without any protection either to the public against extortion or injustice, or to the owners against the carelessness and wilful neglect of those to whom they are intrusted.

In addition to the carriages which are thus constantly used for hire, a vast number of conveyances are kept by the burghers and tradesmen for their own pleasure and convenience, who, nevertheless, are ready to reimburse themselves for the expense, by letting them out for hire from time to time when they have no immediate necessity for using them for their own purposes.

The first Ordinance, No. 3, was essentially a Carrier's Ordinance; the one I have now the honour to submit is, more properly speaking, a Hackney Carriage Ordinance, and by it not only is provision made for licensing the carriages I have named, and for registering their owners, but power is given to the Governor, with the advice of the Executive Council, to regulate from time to time, by

public proclamation, the rates of fares which may be demanded by the proprietors of carriages licensed under this Ordinance. Penalties are attached to the misbehaviour, either through intoxication or wilful misconduct, of the drivers of these vehicles; and the owners of them are made responsible also for their being kept in proper repair, to ensure the safety and convenience of the public.

Many advantages will, I am persuaded, result both to the public and to the Government from the adoption of this Ordinance; and I have by no means lost sight of the beneficial addition to our revenue from the sale of stamps which will be created by the operation of it. I trust, therefore, that your Lordship may be pleased to recommend it for the confirmation of Her Majesty.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) . TORRINGTON.

Enclosure in No. 14.

Encl. in No. 14.

ORDINANCE enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 7.

For registering Palanqueen and other Carriages let to hire.

WHEREAS it is expedient to make provision for the registration of palanqueen and other carriages let to hire for the job within certain places in this island, and for the licensing and regulating thereof. Preamble.

1. It is therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that from and after the commencement of this Ordinance it shall not be lawful for any person to let to hire by the job to any person any palanqueen carriage or other carriage with two or more wheels, at any place within the towns, forts, or gravets of Colombo, Galle, Jaffna, and Trincomalee, or to keep the same for the purpose of letting it to hire, by the job as aforesaid, unless such person shall have had the same registered in manner hereinafter mentioned, and shall have obtained a license for the same from the Government agent of the province in which such person resides, or from some assistant Government agent thereof. And every such license shall be on a stamp of 1*l*., and shall be in force until the 31st day of December of the year in or for which the same shall be granted and no longer, and shall be as near as is material in the form in the schedule hereunto annexed, marked A., and the said licenses shall be numbered consecutively, commencing at the beginning of every year with the number 1. Hired carriages not to be kept or let without Licenses.

2. And it is further enacted, that before any such license as aforesaid shall be granted, a declaration of ownership, as near as is material in the form in the schedule hereunto annexed marked B, shall be made and signed by the proprietor, or one of the proprietors, of the carriage in respect of which such license shall be applied for. And in case any person, on applying for any such license, shall neglect or omit to specify truly in such declaration the name of any person who shall be a proprietor, or part proprietor, of any such carriage, or who shall be concerned as aforesaid in keeping, or letting to hire such carriage, for which a license has not been obtained, every person so offending shall be liable on conviction to a fine not exceeding 5*l*. Declaration of ownership to be made.

3. And it is further enacted, that at the time when any such carriage shall be licensed, the Government agent or assistant Government agent granting such license shall issue to the person applying for the same a plate, on which shall be legibly painted, or marked, a number corresponding with the number of such carriage mentioned in the license for the same, together with figures or letters denoting the year in which such license has been granted, and the name of the place where such license was obtained. And the said plate shall be placed and fixed upon such carriage in such manner that the number thereon shall be at all times plainly and distinctly visible and legible, and shall be kept and continued so fixed during the continuance of such license, and the proprietor of such carriage shall, at the expiration of the period for which the said license shall have been granted, return the said plate to the Government agent or assistant Government agent from whom it was received. Numbered plates to be affixed to carriage.

4. And it is further enacted, that the said several Government agents and assistant Government agents shall, and they are hereby required to keep a book, in which shall be registered all the particulars stated in the licenses granted by them, and every entry in such register shall be numbered in accordance with the number of the license to which it has reference. And it shall be lawful for any person, at any time during office hours, to demand inspection of the said register, and also to take any copy or extract therefrom. Register of Licenses to be kept.

5. And it is further enacted, that when any person to whom any such license shall have been granted, shall determine to give up such license, and to discontinue the letting to hire of the carriage in respect of which the same may have been granted, such person shall give notice in writing of such his determination to the Government agent or assistant Government agent from whom it was obtained; and when the time for giving up such license according to such notice shall have expired, and the plate granted for such carriage shall have been re-delivered to such Government agent or assistant Government agent, such license shall cease and determine and shall be no longer in force. Mode of discontinuing Licenses.

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Penalty for letting carriages to hire, &c., without a License.

6. And it is further enacted that, if any person shall let to hire, or shall keep for the purpose of letting to hire, any such carriage as aforesaid, without having a license in force so to do, or without having the said plate affixed as aforesaid; or if he shall use the said plate, or suffer it to remain fixed on such carriage as aforesaid after the period for which it was given shall have expired, or shall neglect or refuse to deliver up such plate within six days after the expiration of such license, or after it shall have ceased to be in force, every such person so offending in any of the several cases aforesaid shall be guilty of an offence and liable on conviction thereof to a fine not exceeding 5*l*. for the first offence, and for the second and every other offence to a fine not exceeding 10*l*.

Penalty for forging of License, plate, &c.

7. And it is further enacted, that if any person shall forge or counterfeit, or shall cause or procure to be forged or counterfeited any license or plate, or part of any license or plate issued under the provisions of this Ordinance, or if any person shall knowingly and without lawful excuse (the proof of which excuse shall be on the person accused) have in his possession any false, forged, or counterfeit license or plate resembling or intended to resemble either wholly or in part any license or plate which, at any time whatever, hath been or shall or may be issued or used under the provisions of this Ordinance; then and in every such case the person so offending, and every person knowingly and wilfully aiding, abetting, or assisting any person in committing any such offence, and being thereof lawfully convicted, shall be liable to be imprisoned with or without hard labour for any term not exceeding five years.

Rates and fares to be taken for such licensed carriages.

8. And it is further enacted that, it shall be lawful for the Governor with the advice of the Executive Council from time to time as occasion may require by any proclamation, to be by him for that purpose issued and published in the Government Gazette of this Island, to declare the rates and fares which the proprietors of carriages licensed under the provisions of this Ordinance shall be entitled to demand and take for the hire of such carriages within any of the said towns respectively, and from time to time as occasion may require to revoke any such proclamation, and to declare any other rates and fares which it shall be lawful for any such proprietors to demand and take for the hire of such carriages as aforesaid. Provided that nothing herein or in any such proclamation contained shall be construed to affect the right of any parties to enter into any special agreement with each other with reference to the hire of any such carriage and to the fare to be paid for the use of the same.

Penalty on persons refusing to pay fare &c.

9. And it is further enacted that, if any person shall refuse or omit to pay to the proprietor or other person authorized to receive the same the sum justly due for the hire of such carriage, or if any person shall deface or in any manner injure any such carriage, it shall be lawful for the Police Court, upon complaint of the proprietor and proof of the facts, to award reasonable satisfaction to the party so complaining for his fare, or for his damages and costs, and, also, a reasonable compensation for his loss of time in attending to make and establish such complaint; and upon the refusal of such defaulter or offender to pay, or make such satisfaction it shall be lawful for the said Court so commit him to prison, there to remain for any time not exceeding one calendar month, and with or without hard labour as the Court shall think at, unless the amount of such satisfaction shall be sooner paid.

Penalty on proprietors of licensed carriages refusing to let them, or exacting more than the legal fare.

10. And it is further enacted that, if the proprietor of any such licensed carriage, or any other person having the charge or care thereof, shall, without any reasonable and sufficient excuse, refuse to let such carriage to any person desirous of hiring the same for the legal and proper fare allowed by any proclamation issued under the provisions of this Ordinance, or shall exact or demand for the hire thereof more than the proper sum limited and allowed for the same by any such proclamation, every such proprietor or other person as aforesaid so offending shall be guilty of an offence, and liable on conviction thereof to a fine not exceeding 2*l*.

Proprietors or drivers misbehaving

11. And it is further enacted that, if the proprietor, driver, or horsekeeper of any such carriage, or any other person having the charge or care thereof, shall, by intoxication, or by wanton or furious driving or running with such carriage, or by any other wilful misconduct, injure or endanger any person in his life, limbs, or property; or if any such driver or horsekeeper shall drive any such carriage to which there is no proper box or seat for the driver; or if any proprietor shall let out his carriage for hire without having proper driving-reins for the horse or horses drawing the same; or if any such proprietor, driver, horsekeeper or other person as aforesaid shall make use of any abusive or insulting language or be guilty of other rude behaviour to or towards any person whatever; or shall assault or obstruct any officer of police in the execution of his duty, every such proprietor, driver, or horsekeeper or other person as aforesaid so offending in any of the several cases aforesaid, shall be guilty of an offence and liable on conviction thereof to a fine not exceeding 5*l*.

Proof of a License.

12. And it is further enacted that, if in any prosecution or proceeding under this Ordinance any question shall arise as to whether a license has been obtained for any carriage within the meaning thereof; or as to whether any person has made the declaration required by this Ordinance, the proof that such license has been obtained, or that such person has made such declaration, shall lie on the party against whom such prosecution or proceeding shall be had. Provided that, it shall be lawful for the Court to award a reasonable sum in lieu of costs to the accused against any person who may have made a vexatious complaint; and such sum shall be recovered in like manner as any fine imposed under the provisions of this Ordinance.

Informer's share of penalty.

13. And it is further enacted, that one-half of all the fines actually recovered and realized under the provisions of this Ordinance shall go to our Lady the Queen, and the other half to the informer.

Limitation of prosecution.

14. And it is further enacted, that no prosecution shall be instituted against any person for any offence committed against any of the provisions of this Ordinance cognizable by the Police Court unless the same shall be commenced within one calendar month from the time of the commission of such offence.

Proprietors of licensed carriages

15. And it is further enacted, that no proprietor of any palanqueen carriage or other car-

riage licensed under the provisions of this Ordinance, shall be required to take out any license in respect of the same carriage under the provisions of the Ordinance No. 3 of the present year 1848, entitled "For the registration of carriages and boats used for the conveyance of goods and passengers for hire; and for declaring the rights and liabilities of the owners thereof."

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not required to take out carrier's license.

16. And it is further enacted, that this Ordinance shall commence and take effect from and after the first day of June, One thousand eight hundred and forty-eight.

Ordinance when to take effect.

SCHEDULE (A).

No. 15. Colombo, the day of
Whereas A. B., of No. in Street, of the Pettah of Colombo, in pursuance of the Ordinance, No. , of the year 1848, has made and subscribed the declaration thereby required, and has declared that he is the sole proprietor of the palanqueen carriage (or other description of carriage, as the case may be) marked and registered No. 15, license is hereby granted unto the said A. B. to let out the said carriage for hire by the job from the date hereof until the day of

Given under my hand the day and year first above written.

(Signed)

Government Agent.

Note.—This license will cease to be in force on the day of

(B).

I, A. B., do truly declare that I reside at No. in the Street of the Pettah of Colombo, and that I am the sole proprietor of the palanqueen carriage which I have applied to be registered at the Colombo Cutcherry, and which has been registered No. 15.

Declared at Colombo, the day of

(Signed) A. B.

Before me

(Signed)

Government Agent.

Passed in Council the Tenth day of April, One thousand eight hundred and forty-eight.

G. C. TALBOT,
Acting Clerk to the Council.

Published by Order of his Excellency the Governor.

J. EMERSON TENNENT, Colonial Secretary.

(No. 91.)

No. 15.

No. 15.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Pavilion, Kandy, May 6, 1848.

(Received June 26, 1848.)

Answered July 19,
1848, No. 260, page
338.

MY LORD,

THE Ordinance which I have now the honour to submit for your Lordship's consideration, in the hope that it may be recommended for the confirmation of Her Majesty, is of such a nature that I feel conscious of the responsibility which devolves on me, in explaining fully and unreservedly the principles upon which it is founded, or to the development of which it is calculated to lead. The title of this Ordinance, "No. 8, of 1848, to make provision for the formation "and improvement of the means of communication in this island," is sufficiently simple, and the object of the measure clear enough, to recommend it at once to your Lordship's notice, and I have little doubt to your Lordship's favour.

The preamble of the Ordinance also is calculated to attract your favourable attention, and I am fully persuaded that the whole measure is framed entirely in accordance with the principles laid down in the Report* of the Committee appointed by your Lordship to inquire into the financial administration of this island.

But I feel it my duty at once to state to your Lordship, that the principles brought directly into practical operation by this Ordinance, are of a much more important and extensive nature than the title of the Ordinance would intimate, if unaccompanied by an explanation of the machinery by which it is intended that it shall be reduced to practice. The importance of more ready and convenient modes of internal communication is too obvious to require more than a passing observation. The raising of the necessary funds for meeting the local expenditure upon roads, by means of local contribution, is likewise (apart from the mere details of the manner in which that contribution shall be levied, or

* For this Report, vide Paper presented by Command, April 1848.

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that expenditure regulated), at first view, a matter rather of simple calculation than of general policy. But the real effect of this measure will be to initiate the elements of local self-government; to habituate the mass of the people to interest themselves in matters which are obviously conducive to their individual as well as their common interests; to teach them the advantage of combined exertions for the general good; and, I am free to admit, to relieve the Government, or I should rather say, to delegate from it, some of the responsibilities which directly attach to it as the guardian of the people.

I proceed, therefore, unreservedly to lay the matter before your Lordship in all its bearings.

The Report of Sir William Colebrooke of 1832, his memorandum of the 18th July, 1834, transmitted by Mr. Spring Rice in his Despatch No. 38, of 28th October, 1834, and the views developed in the Report of your Lordship's Committee of 1847, alike point to the expediency of entrusting, to a certain extent,* "the management of local concerns, and especially the care and maintenance of public works, to local bodies duly elected and invested with a power "of local assessment for purposes of this nature." Sir William Colebrooke's memorandum distinctly alludes to the ancient village councils, or "gansabes," of Ceylon as institutions once popular among the inhabitants "of the interior, and "requiring little regulation to render them an efficient means for providing for "the police, for the registration of lands, and other objects of local interest." At the same time he refers to the regulations framed in Java by Sir Stamford Raffles, during the brief period of our occupation of that island, for restoring to these original native institutions some portion of the effective character which they had lost. No steps, however, appear to have been hitherto taken in Ceylon for carrying out the recommendations of Sir William Colebrooke in this respect, though fortified by the approval of the Secretary of State.

The present Ordinance, although ostensibly and in truth practically and simply a road Ordinance, is in reality the first step yet taken in the direction of self-government. That it is a qualified and partial step I am quite sensible; but under all the circumstances of the case, the question which will doubtless suggest itself to your Lordship is, whether it is the simplest and best step which could have been decided, for securing the various ends it contemplates.

I have here taken the high ground of principle with respect to this measure, but I am quite prepared to admit that the narrower ground of expediency suggested the particular application of the principle, and that one of the main objects which led to the adoption of the Ordinance, was to get the internal communications of the island improved and extended with the least possible expenditure of Government funds. This, therefore, and this only, appears at first view to be the principal design of the measure; and I was induced to concur in the opinion of the Executive Council, that this would not only be the best mode in which provision could be made for maintaining the public roads, and economising the resources of the public Treasury, but the most eligible form in which the elements of self-government could be tried as an experiment.

But my own original impression was, that the establishment of municipal bodies, as such, with limited responsibilities in the first instance, to be gradually extended as the power and the habit of regulating them became developed by a sort of municipal apprenticeship, would be at once the preferable course to pursue. A minute embodying my views upon this subject was accordingly laid before the Executive Council early in September last, of which I now have the honour to forward a copy to your Lordship. But the draft of an Ordinance for the formation and maintenance of roads under the superintendence of local bodies, was afterwards brought forward by a member of the Council; and with many subsequent additions and improvements, occasioned by the suggestions of the Government Agents and other public functionaries to whom it was referred, it ultimately assumed its present form.

The second point of importance which demands attention, is the exaction, under certain adjusting regulations, of a small amount of labour (not to exceed six consecutive days in any one year) from every male resident in the island between the ages of 18 and 55 years, commutable by a money payment not exceeding 3s. for any one year, or of such lesser sum, within any particular

* *Vide* Report of 1847. Paper presented by Command, April 1848.

province or district as the Governor may from time to time appoint by public proclamation. The exceptions to the universal application of this enactment are so few, that none but the Governor himself, the military stationed in the island, and Indian immigrant Coolies in search of or actually employed for the time in agricultural labour, are exempted from its operation.

At first view, it might appear that the principle of this enactment gives it very much the semblance of a re-introduction of the forced labour system, abolished by the Order in Council of the 12th April, 1832. But in reality this is not the case; and indeed, after the clear exposition of the nature of that Order, and the strict sense in which it was to be interpreted, as laid down in the Despatch of Viscount Goderich of the 3rd May, 1832, founded upon the Report of Sir William Colebrooke, of the 16th March of that year, I should be exceedingly unwilling to recommend to your Lordship's notice any measure which could have the effect of re-introducing the abuses and perpetuating the hardships which it was the benevolent purpose of the late Earl Grey's Government for ever to abolish. Good faith and good policy would be found equally opposed to any such attempt.

But it may perhaps be still open to question whether, in suddenly giving up *all* claim whatever to a portion of the services of the people, which, according to their own customs, they had from time immemorial been liable to render to Government as a contribution in kind, as it might be called, for the general good of the state, the Government did not entirely forego the advantages of such a practice without securing for itself any equivalent in return. In relieving the people of the undoubted abuses which had grown up under that system, the Government took from them, at the same time, the advantages which, apart from the admitted hardships, might still have resulted from the better regulation of a system by no means opposed to their habits and prejudices.

Indeed, the ruins of gigantic tanks and other works, which could only have been constructed by an immense application of combined labour, bear irresistible testimony to the value of the feudal services which were rendered to their princes by a people otherwise strikingly indolent and indisposed to united exertion. But the Order in Council of 1832, in abolishing the compulsory services altogether, and the Secretary of State in recommending the substitution of hired labour instead, for the construction of public works, omitted to point out any mode by which provision might be made for meeting the unavoidable expenditure to be incurred. The people while they individually appreciated the advantages of their exemption, contributed in fact nothing in return for the benefits they received. Since 1832, the public works and lines of internal communication have consequently been very much neglected, the banks of tanks and water-courses, still in use, have been gradually going out of repair, and a retrograde movement has been in many parts too apparent.

A sufficient quantity of hired labour even for the principal roads is not at any time easily to be procured; and the corps of 3000 pioneers maintained by Government, composed almost exclusively of Indians, together with its large and costly establishment of elephants, bullocks, carts, waggons, &c., form the indispensable resource of Government for the maintenance of these works. The minor lines of communication, canals, &c., and other very desirable works of much local importance in a tropical country, have received little attention. The native landholders, I am informed, and the village communities are far from unwilling to contribute a certain portion of labour for works of general utility in their respective districts; but the difficulty is apparent, as to the application of this labour, and the mode of bringing the people to unite their efforts for a common object.

The principle of a local assessment for local works, commutable by a contribution of actual labour, was fully adopted by Lord Stanley and Lord Aberdeen; but the present measure reverses this order, and makes the contribution of labour the foundation, while the substitution of a payment of money is the alternative; and there is every reason to believe, not only that this is the preferable course, but that the Government is not yet in a position to be able to carry out the project of local assessment, however desirable it might otherwise be.

In its present form this measure must be regarded as an experiment; experience will soon point out the mode by which it may be improved, and the operation of it enlarged. But I have reason to hope that it will be entirely

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successful, and that its benefits will ultimately be great not only for the practical good which it will effect, but for the more enlarged civilization of which it is calculated to lay the foundation.

I now proceed to remark upon the details which are comprised within no less than 80 clauses.

Clauses 2 and 3.

Starting from the principle that every man shall labour for six days in the year, or commute that contribution by a money payment, the Ordinance proceeds to give power to the Governor to declare by proclamation what shall be deemed to be the principal roads, rivers, lakes, or canals, upon which that labour shall be from time to time employed, and to specify and define the districts for the purposes of this ordinance, within which the actual residents shall be responsible for the local works, provision being made that their liability either for labour or for payment shall not extend to any work at a greater distance than 20 miles from their place of residence. The districts so proclaimed may also be subdivided by the Governor into divisions, and as regards the minor pathways, water-courses, &c., no man can be required to labour or pay commutation for any work at a greater distance than seven miles from his home.

Clause 4.

Clause 38.

Clauses 42 and 44.

Clause 45.

Clause 46.

By the 38th clause provision is made for giving to every man the option whether he will choose to work or to pay; by the 42nd and 44th clauses it is made penal to refuse to do either the one or the other after the choice is made; by the 45th clause exemption is given to persons who from bodily infirmity or mental disease are incapable of work; and by the 46th clause, care is taken that proper means of subsistence shall be furnished, if necessary, to those who are actually employed, at the rate of one half the amount of commutation payable in the district by those who elect to make payment, but in that case 12 days' labour are to be exacted instead of six. Nor can this be deemed unreasonable, inasmuch as, during the 12 days' labour, the individual will actually have received the full pay of six, and therefore he will have contributed no more to the common stock than he would have done had he worked for six days only without any pay. So much then for the mere question of labour, or the commutation for it.

But the larger question of the machinery for regulating and appropriating these resources for the public benefit, for creating an interest among the mass of the people in matters of local interest, and for entrusting to them a limited and qualified control over the management of their own affairs, has been a matter of deep anxiety.

Clause 6.

In each of the six provinces of the island, there is to be a provincial road Committee, of which the Government agent is to be the chairman, and the Commissioner of Roads, or one of his assistants, a member, and not less than three or more than five other members are to be appointed by the Governor from year to year. The secretary to the Committee is to be the Assistant Government Agent at the capital of the province. They are to meet at the office of the Government Agent for despatch of business on the first and third Monday of every month. And they are to constitute in fact, as will appear by the 11th, and particularly the 24th, 33rd, and 34th clauses, the chief directing and responsible body in the province, so far as regards the provisions of this Ordinance.

Clause 7.

Clauses 11, 24, 33, and 34.

Clause 8.

Subordinate to this Committee, there are to be District Committees for as many districts in each province as the Governor with the advice of the Executive Council may think it expedient to proclaim (as provided for in clause 4), and each such Committee is to be composed of three members appointed by the Provincial Committee, together with the chairman, who is to be the Assistant Government Agent, *ex officio*, when present. Rules for the guidance of these District Committees are from time to time to be framed by the Provincial Committee, subject to the approval of the Governor, and they are to be the responsible parties for conducting the election of an important officer in each division, who is to be styled the "Division Officer," and who will in all probability be a native. Upon the zeal, intelligence, and activity of this officer, will mainly depend the whole practical working of the scheme.

Clause 11.

Clause 12.

At this point we arrive at the first element of elective municipal bodies. The division officer is in fact to be elected by the people; the first attempt yet made I believe throughout the eastern world, under the British Government, to introduce or perhaps rather to revive the practice of permitting the people to choose from among themselves the persons with whom they are to come into

immediate official contact; and I have every confidence that the attempt will be peculiarly successful in this island, if properly and judiciously managed, because the ancient gansabes or village councils of the natives, were essentially popular institutions, although their duties were of a different nature; and I find, on a reference to the regulations of Sir Stamford Raffles in Java, in 1814, which were abolished by the Dutch, that the headman of every village was freely elected by the resident inhabitants, subject to the confirmation of the resident (Government Agent), and that the principal qualification for election was actual residence and the possession of landed property.

I now come to the qualification, mode of election, and official duties of the division officer, the most important functionary created by this Ordinance. To be qualified to offer himself as a candidate, he is required to reside in or in the immediate neighbourhood of the division; he must possess in his own right landed property within it; and he must be able to read and write his own language. He will also be required to give proper security for the money which will be collected by him, or pass through his hands, for the purposes of this Ordinance; and it will be the duty of the Provincial Committee to notify publicly the amount of property which they consider necessary for qualification, and the value of the security to be given in each of the divisions of the province at the time that notice of an intended election is given, and candidates invited. Power is reserved for any male resident between the ages of 18 and 55 to state his objections to any proposed candidate in writing to the District Committee, who are forthwith to inquire into and report upon the validity of such objections to the Provincial Committee, to whom power is given to object to the election of any candidate whatever. But if a candidate shall have actually been put in nomination after being duly approved, and the majority of votes shall be recorded in his favour, then he shall be deemed to be duly elected. If in any case, at the time appointed for the election, no properly qualified candidate shall come forward, or a lesser number than 50 voters are present, or if the person elected fail to give proper security, it is left to the option of the Provincial Committee either to fix another time or place for the election, or themselves to appoint a duly qualified person to be division officer, without any election whatever.

Clause 13.

Clause 14.

Clause 17.

Clause 19.

Clause 22.

I next come to the question of the right of suffrage; in other words, who are to be the electors, and how are their qualifications to be ascertained? The original intention was, to give the right of voting for the division officer to every man liable to contribute his labour, or to pay a commutation for it under the provisions of this Ordinance; and as all males, between 18 and 55, come within its operation, it is evident that almost universal suffrage would have been the result. But various objections were made by the Government Agents to the practical working of so extended a suffrage; and as these appeared to be founded upon reasonable grounds, the suffrage was ultimately limited to male householders of the required age, resident within the division.

Clause 19.

Some difficulty must no doubt arise in ascertaining, at the first election, what parties are or are not entitled to vote as *bonâ fide* householders, but as it is provided that the elections must be held in presence of the chairman of the Provisional Committee (the Government Agent), or of such member or members of that Committee, or of the District Committees, as he may depute, and as on these occasions it is to be expected that he will be attended by the proper officers of his establishment, there will be less difficulty than might be supposed in ascertaining the validity of a claim to vote. And it is further provided, that the person before whom the election is held shall have the power of finally deciding whether any objection which may be raised against a voter is valid or not.

Clause 19.

Clause 21.

After the first elections are completed, and division officers thereby appointed, the difficulties will be in future materially diminished; for it will be compulsory for every owner of land, having a house upon it, to deliver to the division officer once in every year, if the latter shall demand it of him, a list of all lands having houses on them within the division, and also of the name of the principal occupant of each house, so far as he may be able to ascertain; and refusal to comply with this requisition will subject him to a penalty of 5*l*.

Clause 26.

The power here given, although greater than might be looked upon with favour in England, is not more than is really necessary in this country, where

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there has hitherto existed, except as regards one or two of the larger towns, no registry of houses, or of their owners, and the attempt to enforce which, under other circumstances, would be viewed with great mistrust by the people. In this instance, however, I do not apprehend that any objections will be raised, because the object of it will be at once apparent—namely, rather to confer a social privilege than to exact the payment of an assessment.

Having by this means procured a list of householders, and therefore of voters, the next step in the process will be to ascertain how many male residents there may be in each house; and, with this view, every householder will be compelled to furnish to the division officer once a year a list of all males resident in his house, together with their ages, so far as he may be able to ascertain them. A corrected list of all males within the division, liable to the performance of work or the payment of commutation, will then be made out by the division officer, and transmitted by him to the District Committee; and the householder will himself be responsible for the labour or the commutation of every male resident in his house of the stipulated age; and all doubts as to the age of an individual are to be finally settled by the District Committee.

Clause 27.

Clause 29.

Clause 27.

Clause 47.

Clause 32.

As the Committees will be required to furnish copies of their lists annually to Government, it becomes obvious that the machinery once brought into operation will conduce very much to facilitate the much-desired object of taking a census of the population of the island, of which we have at present a very inadequate idea.

We now come to the appropriation of the labour, which we have thus far taken means to secure; and upon the judicious and skilful management of this, the main ostensible benefit of the measure to the people, will depend the successful working of the whole scheme, and the degree of favour with which it may be received. The misapplication, or the useless frittering away of the means of otherwise conferring vast benefits, will require to be guarded against with the most watchful and jealous eye. A door would be opened to the widest abuses, and the ground laid for the foundation of universal dissatisfaction, unless the most rigid system of management were to be enforced in the distribution of the peculiar resources placed at the disposal of Government by this Ordinance.

It is, therefore, provided, that estimates shall be annually transmitted to the Governor by the Provincial Committee (prepared under the immediate direction of the Commissioner of Roads), of the amount which it will be requisite to expend in the ensuing year upon the principal works within the several districts of the province. But the power given to the Committee of appropriating the labour of each district is limited, as regards these principal works, to two-thirds of the whole amount of labour due from the district; and the remaining third, or any money which may be paid in commutation thereof, may be applied by the District Committee for the repair or formation of any of the minor works, pathways, &c., which have not been proclaimed as principal works.

Clause 33.

Clause 35.

Clause 33.

Clause 36.

Clause 40.

With regard to the disposal of the money which may be received as commutation, it is provided that the Government Agent (as chairman of the Provincial Committee) shall be responsible for its proper disbursement. A portion of it will be expended in allowances for the subsistence of labourers, and also for the proper remuneration of the division officers under the sanction of the Governor. Lists are to be forwarded annually to the Governor, and published in the "Gazette," showing the amount of labour performed, and of money paid on account of each district during the year, and of the works to which it may have been applied. The publication of these details will tend materially to give confidence to the public mind in the sincerity and good faith of Government, and to prevent the gradual introduction of abuses, to which time itself might otherwise appear to lend the sanction of Government.

The 52nd and subsequent clauses have been principally borrowed from the enactments of the Ordinance, No. 16, of 1844—"For the preservation and improvement of the streets, roads, rivers, lakes, canals, &c., of this island." But it was thought advisable to transfer to the chairman of the Provincial Committee, that is to say, to the Government Agent of each province, most of

the powers vested by that Ordinance in the Surveyor-General, Civil Engineer, and Commissioner of Roads.

These powers will, undoubtedly, be very extensive, for they will include the supervision of all streets and thoroughfares, as well as roads, rivers, and canals, the removal of encroachments upon the property of the Crown equally with obstructions, and the power to call for the production of title deeds in certain cases, and to examine them as well as to survey the premises. The operation of these clauses adopted from the Ordinance above alluded to has already been found to be very beneficial; and it appears to be only reasonable, that inasmuch as the numerous inhabitants of the principal towns will be large contributors both of labour and of money under the stipulations of this Ordinance, a fair proportion of both should be applicable to the necessary improvements of the towns themselves.

Thus far, my Lord, I have endeavoured, not I trust with greater minuteness than the importance of the subject demanded, to place before your Lordship, in the clearest manner I could, the principles upon which this measure is founded, the ends which it is hoped may be attained by its operation, and the means by which it is proposed that it shall be reduced to practice.

I have studiously borne in mind the principle of equality of rights as regards all classes of Her Majesty's subjects resident in this island, whether native or Indian, or European, as laid down in the Order in Council of 1832, in which it is declared and ordered, "That none of Her Majesty's native or Indian subjects within this island shall be or are liable to render any service in respect of the tenure of their land, or in respect of their caste, or otherwise, to which Her Majesty's subjects of European birth or descent are not liable, any law, custom, or regulation to the contrary notwithstanding." I trust I have not lost sight of the general principle advanced by the Commissioners of Inquiry in their Report of 1832, and assented to by Lord Stanley, in his Despatch of the 10th November, 1833, to the effect, "That the construction of roads and bridges should still constitute a charge upon the districts, as well as the repairs of them, where the tolls are inadequate for the purpose, the option being afforded to the landholders of giving their daily labour in discharge of the assessment at a regulated rate."

Entirely concurring in the regret expressed by Lord Aberdeen, in his Despatch of the 19th March, 1835, No. 20, in reply to Sir R. W. Horton's, of the 30th August, 1834, that provision had not been made in the Order in Council for the introduction of the system above recommended, I am quite persuaded that the measure I have now the honour to submit for your Lordship's consideration is likely to prove the best, and to be received as practically the most efficient, which could be adopted at the present period, and under the altered circumstances of the island.

The lapse of time, the better appreciation of the benevolent intentions of the British Government, the material improvement of the resources of the people, and the clearer appreciation of their own local wants, have all combined to remove from the minds of the natives, at the present time, all mistrust as to the sincerity of Government in the abolition of forced labour of 1832. I have reason to believe that the better class of natives are fully alive to the benefits which the provisions of this Ordinance are calculated to confer upon them. In many of the districts it has been explained to them, and openly discussed, without any dissatisfaction. Regarding it also as the forerunner of a more extensive introduction of municipal institutions at a future time, and fully believing that it is calculated at once to effect many beneficial objects, I earnestly trust that your Lordship may be able to solicit for it the sanction of Her Majesty.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

CEYLON.

Enclosure 1 in No. 15.

Encl. 1 in No. 15. ORDINANCE enacted by the Governor of Ceylon with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 8.

To make Provision for the formation and improvement of the means of communication in this Island.

- Preamble.** WHEREAS it is expedient to make better provision for the formation and maintenance of roads, and for the improvement of the means of communication by land and by water in this island; and it is also expedient and proper that the labour to be performed, and the money to be paid by any person under the provisions of this Ordinance shall be applied for the benefit of the roads and other means of communication in that part of the country within which such person shall be resident.
- Every male resident liable to labour on the roads.** 1. It is therefore hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that from and after the 1st day of January, 1849, every male between the ages of 18 years and 55 years residing within this colony, excepting the Governor or Lieutenant-Governor for the time being, and officers, non-commissioned officers, and soldiers belonging to the staff or to any regiment or corps of Her Majesty's army serving therein, and any Indian Cooly in search of or employed in agricultural labour in this island, shall be liable if required so to do in manner hereinafter provided, to perform six days' consecutive labour in each year upon the roads or other means of communication by land or by water therein.
- Exceptions.** Provided always, that it shall be lawful for any person to commute the performance of the whole of such labour as aforesaid by a money payment of the sum of 3s. for any year, or of such less sum for the like time for any province or district as the Governor, with the advice of the Executive Council, from time to time as he may see occasion, by any proclamation to be by him for that purpose issued and published in the Government Gazette, may appoint, subject to the rules hereinafter made in that behalf.
- Permission to commute.** 2. And it is further enacted, that it shall be lawful for the Governor, with the advice of the Executive Council, to declare by proclamation to be by him for that purpose issued and published in the Government Gazette, that any road, river, lake, or canal shall be deemed to be a principal road, river, lake or canal for the purposes of this Ordinance; and such road, river, lake or canal shall, from the time specified in such proclamation, be deemed to be a principal road, lake, river, or canal accordingly. And it shall be lawful for the Governor, with the like advice and in like manner, when and as often as any sufficient reasons shall be presented to him, to change the course of any principal road or canal within this island, and to substitute some shorter or more convenient course for the same; and also from time to time to describe such new principal road or canal, as the public advantage may call for or require. Provided always, that any such alteration shall be made before the annual appropriation, as hereinafter provided, of the labour to be supplied under the provisions of this Ordinance.
- Governor to declare principal roads, rivers, lakes, and canals.** 3. And it is further enacted, that it shall be lawful for the Governor, with the like advice and in like manner, to specify and define the districts of which the residents shall be liable to performance of labour or payment of commutation for the formation, maintenance, or improvement of any such principal roads, rivers, lakes or canals, or proposed roads or canals, or any portion or portions thereof, and with the like advice and in like manner to alter or vary any such districts, as from time to time to him may appear expedient. Provided always, that any such alteration shall be made previous to the annual appropriation of the labour of the several districts hereinafter directed and appointed. And provided further, that no person shall be required to labour on or to pay any money in commutation of such labour, in respect of any principal road, river, lake or canal, or portion thereof, if the place at which he shall be required to labour, or in respect of which he shall be required to pay such commutation, shall be distant more than 20 miles from the place of residence of such person.
- Governor to declare assessment districts,** 4. And it is further enacted, that it shall be lawful for the Governor, with the like advice and in like manner, to subdivide the districts created under the provisions of the preceding clause into divisions, and with the like advice and in like manner to alter or vary any such divisions as from time to time to him may appear expedient.
- And divisions.** 5. And it is further enacted, that for the purposes of this Ordinance, there shall be in each province a Committee, to be termed the Provincial Road Committee, to be constituted and appointed in manner following:—the Government Agent of the province for the time being shall be the chairman thereof; the Commissioner of Roads when present, or in his absence then his principal assistant in the province shall be a member thereof; and it shall be lawful for the Governor to appoint not less than three nor more than five persons to be the other members thereof, of whom at least two shall be persons not holding office under the Crown; and the persons so appointed shall continue in office one year and no longer, unless again appointed in like manner; and the assistant to the Government Agent at the principal station in the province shall be the secretary to the said Committee.
- Appointment of Provincial Committee.** 6. And it is further enacted, that all acts whatsoever authorized or required by virtue of this Ordinance to be done by the Committee appointed under the authority of the preceding clause, may and shall be done and decided by the majority of the members of such Committee, who shall be present at any meeting thereof duly convened in manner hereinafter provided, not being less than three of the whole number of such Committee, unless where by any of the provisions of this Ordinance one member of the said Committee is expressly empowered to do and decide any act, matter, or thing whatsoever. Provided always, that when the votes of the members present in regard to any question shall be equally divided, the chairman, or in his
- Majority to decide.**
- Quorum.**

absence the Commissioner of Roads, or his principal assistant in the province, or the senior member present shall, besides his vote as a member, have a casting vote. And provided further, that if the Government Agent shall be absent from any meeting, the secretary shall be entitled to vote upon any question.

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Casting vote of chairman.

7. And it is further enacted, that meetings of the Provincial Committee shall be held for the despatch of business at the office of the Government Agent for the province, upon the first and third Mondays of every month, unless any such day shall be a public holiday, in which case such meeting shall be held on the next following day not being a public holiday. Provided always, that if any two members of a Provincial Committee shall call upon the chairman by writing under their hands to convene a special meeting thereof, it shall be the duty of the chairman to convene such meeting, and three days' notice of the day appointed for the same shall be given by the secretary to each member thereof.

Meetings of Provincial Committee.

8. And it is further enacted, that for the purposes of this Ordinance it shall be lawful for the Governor, with the advice of the Executive Council, to declare by proclamation to be by him for that purpose issued and published in the Government Gazette, that there shall be in each province so many Committees to be termed District Committees, and for such districts as shall in any such proclamation be specified and declared as to him may appear expedient, and with the like advice and in like manner from time to time to revoke, alter or amend any such proclamation. And every such District Committee shall be constituted and appointed in manner following:—the Government Agent of the province when present, or in his absence the Assistant Government Agent for the district in which any such District Committee shall be constituted, shall be the chairman thereof, and three other members shall be appointed by the Provincial Committee; and the persons so appointed shall continue in office one year and no longer, unless again appointed in like manner. Provided always, that it shall be lawful for any member of a Provincial Committee to be appointed also a member of any District Committee or District Committees.

Appointment of District Committee.

9. And it is further enacted, that any person appointed a member of a Provincial or District Committee under the provisions of this Ordinance, shall be bound to act in such office for the space of one year from the time of such appointment. And any person so appointed, who shall refuse to act as such for the time aforesaid, or who shall on any occasion during such time as aforesaid, wilfully neglect or refuse to perform any of the duties imposed upon him by this Ordinance, shall forfeit for any such act of neglect or refusal any sum not exceeding 50*l*. Provided always, that it shall be lawful for the Governor, with the advice of the Executive Council, upon good and sufficient reasons shown to him, to permit any person appointed a member of a Provincial or District Committee, to resign such office before the expiration of one year from the time of such appointment; and provided further, that no person shall, unless with his own consent, be appointed a member of any such Committee within ten years from the time of his having ceased to act in such office; and provided further, that nothing in this Ordinance contained shall prevent any person duly appointed a member of any such Committee, continuing with his own consent to act as and be a member of any such Committee for a longer period than one year.

Person appointed bound to serve.

10. And it is further enacted, that in case of the death, incapacity, resignation or departure from the island of any member of a Provincial or District Committee appointed as aforesaid, it shall be lawful for the Governor or the Provincial Committee, as the case may be, to appoint some qualified person to supply the vacancy so created during the remainder of the period for which any such member was bound, or had undertaken to act in such office. And any person appointed to supply any such vacancy shall be and become invested with all the powers and rights, and liable to the performance of all the duties conferred or imposed by this Ordinance on members of the Provincial or District Committee, as the case may be, to which he may be appointed a member as aforesaid. And that until any such vacancy which may occur shall be supplied, the remaining members or member of any such Provincial or District Committee shall continue to do and perform all and every the acts, matters, and things necessary for carrying into effect the purposes of this Ordinance, anything herein contained relative to the number of members required in any case to form a quorum to the contrary notwithstanding.

Vacancy in Provincial or District Committee.

11. And it is further enacted, that it shall be lawful for the Provincial Committee to make such rules for the management of their own business and for the guidance of the District Committees within their province as to them may appear expedient, provided that such rules be not repugnant to or inconsistent with any of the provisions of this Ordinance; and provided further, that copies thereof be with all convenient speed transmitted to the Governor for the approval, amendment, or disallowance thereof of the said Governor, with the advice of the Executive Council; and the said rules as approved or amended shall be published in the Government Gazette, and shall thereupon become as legal, valid, and effectual as if the same had been inserted herein. And it shall be further lawful for the Provincial Committee, from time to time as to them shall appear necessary, to give general directions for the management of their business to the District Committees within their province; provided that such directions be not repugnant to or inconsistent with any of the provisions of this Ordinance or any rules made and published under the authority of this clause.

Provincial Committee to make rules.

12. And it is further enacted, that for the purposes of this Ordinance, there shall be elected or appointed, in the manner hereinafter provided, for each of the divisions created under the provisions of the fourth clause of this Ordinance, an officer who shall be called the Division Officer.

Appointment of division officer.

13. And it is further enacted, that no person shall be eligible to be elected or appointed a division officer unless he shall be resident in or in the immediate neighbourhood of the division for which he shall be elected or appointed, and shall be able to read and write his own lan-

Qualification of division officer.

[CEYLON.]

Election of division officer.

Description of security.

Candidate to give notice.

District Committee to give notice of candidate.

Objection to candidate.

Approval of candidate.

Mode of holding election.

Division officer to give security.

Officer holding election to decide upon objections to voters.

guage, and unless he shall be possessed in his own right of landed property within the division for which he shall be elected or appointed. And it shall be lawful for the Provincial Committee to determine in the case of each division the value in landed property the possession of which shall entitle the owner to be elected or appointed the division officer thereof, as well as the amount of the security to be given by such officer, as hereinafter provided.

14. And it is further enacted, that the Provincial Committee shall, with the least possible delay after their appointment, fix places and days for the election of division officers for each of the divisions within their provinces, and shall give notice thereof to the respective District Committees, and shall cause notices in the English and native languages to be affixed, at least one calendar month before the day of any such election, to such conspicuous place or places as to them may appear expedient within such divisions respectively, calling upon all persons intending to offer themselves as candidates for the said office to signify such their intention in writing to the District Committee within 30 days from the date of such notices. And such notices shall state the value in landed property of which the candidates must be the owners, as well as the amount of security to be given by them.

15. And it is further enacted, that the security by the preceding clause required shall, if the Provincial Committee consent thereto, be given by way of mortgage of or upon some immovable property of the division officer situate and being within this island, or otherwise by bond of two resident landowners or householders. Provided always, that any mortgage or other bond given for the due and faithful execution of the duties of any division officer shall be free of stamp duty.

16. And it is further enacted, that any party intending to offer himself as a candidate for the office of division officer, shall within the time hereinbefore mentioned signify such his intention in writing to the District Committee, and shall at the same time furnish the said Committee with a list of the landed property possessed by him, and of that which he may be willing to hypothecate, or a declaration in writing, signed by two resident householders or landowners, setting forth that they are willing to become sureties for such persons in the amount required, and the property which they may be willing to hypothecate. And such two persons shall, in the event of such party being elected or appointed as aforesaid, be thereupon considered and held to be bound in law as such his sureties, as fully and effectually as if they had given bond for the same, and shall be bound, on the requisition of the District Committee, to execute and sign such bond for the required amount as the said Committee may consider to be necessary.

17. And it is further enacted, that the District Committee shall, without delay, cause notices in the English and native languages to be affixed in such conspicuous places within the respective divisions as to them may appear expedient, setting forth the names of the parties intending to offer themselves as candidates for the office of division officer of each of them, and the landed property stated to be possessed and proposed to be hypothecated by them, or the names of the persons willing to become sureties for them respectively, and the property which such person may be willing to hypothecate. And it shall be lawful for any male between the ages of 18 years and 55 years, residing within any division, to make objection in writing, addressed to the District Committee, within 15 days from the date of affixing such notice, to the election or appointment of any of the candidates to the office of division officer for such division. And such District Committee shall forthwith inquire into the truth and validity of any objection so made, and shall report thereupon to the Provincial Committee. And the said Provincial Committee shall make such further inquiry as they may deem requisite, and shall declare whether the objection made be good or not, and the decision so made shall be final. And it shall also be lawful for the said Provincial Committee to object to the election of any candidate.

18. And it is further enacted, that the Provincial Committee shall, within a reasonable time before the day fixed for any such election, transmit to the District Committee a list of the candidates approved by them, and such District Committee shall forthwith cause the same to be made generally known in the respective divisions.

19. And it is further enacted, that every election of a division officer shall be held at the place and upon the day fixed by the Provincial Committee as hereinbefore provided, and in the presence of the chairman thereof, or of such member or members thereof, or of any of the District Committees of the province as he may depute for that purpose; and that it shall be lawful for every male householder between the ages of 18 years and 55 years, residing within the division in respect of which any such election shall be held, to nominate for election as division officer any candidate duly approved as aforesaid, and no other person; and every such male householder shall be entitled to attend personally at the time and place appointed before the member or members of the Provincial or District Committee directed to hold the election, and declare to him or them the name of the candidate for whom he votes, and such member or members shall then enter or cause to be entered the names of the voters for the several candidates in lists to be by him or them opened and kept for that purpose, and shall at the close of the election publicly declare the name of the candidate for whom the greatest number of votes may have been recorded, who shall thereupon be deemed to be duly elected.

20. And it is further enacted, that any person elected as aforesaid to be a division officer shall, within 10 days from the time of such election, give such security to Her Majesty for the due and faithful execution of his office as shall have been determined by the Provincial Committee.

21. And it is further enacted, that if at any election held under this Ordinance any questions shall be raised as to the right of any person to vote at such election, it shall be lawful for the member or members of the Provincial or District Committee before whom such election shall be held, then and there to make such inquiry as he or they may deem requisite, and to declare whether the objection made be good or not, and the decision so made shall be final.

22. And it is further enacted, that if upon the day fixed for holding any election as aforesaid no approved candidate shall offer himself, or if a less number than 50 voters shall attend and give their votes thereat, or if the person elected shall fail to give security as hereinbefore provided, it shall be lawful for the Provincial Committee to appoint another time and place for holding such election, giving notice thereof in manner hereinbefore provided, or if they shall think fit so to do, to nominate and appoint some duly qualified person to be the division officer for the division in respect of which an election has not taken place, or in the place and stead of the person elected as division officer thereof, but who has failed to give security.

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Proceeding in
default of election.

23. And it is further enacted, that any person elected or appointed to be a division officer under the provisions of this Ordinance, shall be bound to act in such office for the space of one year from the time of such election or appointment. And any person so elected or appointed who shall refuse to act as such, or who shall on any occasion during such time as aforesaid wilfully neglect or refuse to perform any of the duties imposed upon him under any of the provisions of this Ordinance, shall forfeit for every such act of neglect or refusal a sum not exceeding 10*l*. Provided always, that it shall be lawful for the Provincial Committee, upon good and sufficient reasons shown to them, to permit any person so elected or appointed to resign such office before the expiration of one year from the time of such election or appointment, and provided further that nothing in this Ordinance contained shall prevent any such person from acting in the said office for a longer period than one year, unless removed therefrom as hereinafter provided.

Person elected or
appointed bound to
serve.

24. And it is further enacted, that it shall be lawful for the Provincial Committee to make such rules and to give such directions for the guidance of the division officers within their provinces, in the discharge of the duties imposed upon them by this Ordinance, as to them may appear expedient, provided that such rules or directions be not repugnant to or inconsistent with any of the provisions of this Ordinance, or any rules made and published under the authority of the 11th clause thereof. And it shall be lawful for the said Committee to remove any such division officer from his office upon proof to their satisfaction of disobedience or other misconduct in the discharge of his duty.

Provincial Com-
mittee to make
rules for division
officers.

25. And it is further enacted, that if any division officer shall die or become incapable, or disqualified, or resign, or be removed from his office, the Provincial Committee shall with the least possible delay take the necessary steps for the election or appointment of a successor to the said division officer, in manner hereinbefore provided in respect to the first or original division officers appointed under the authority of this Ordinance.

Election of
successors to
division officers.

26. And it is further enacted, that at any time after the election or appointment of a division officer for any division, every person owning any land therein upon which any house shall be then standing shall once in every year, on being thereunto required by the said division officer, furnish him with a list of all such lands within the said division and of the houses standing thereon, and of the names, so far as the same may be known to him, of the principal occupant of every such house. And if any person shall at any time after such election or appointment acquire any land within any division, upon which any house shall be standing, or upon which any house shall be afterwards erected, he shall upon any requisition to that effect by such officer furnish him with the information hereinbefore required in respect of such land. And any person neglecting to comply with the provisions of this clause shall be guilty of an offence, and be liable on conviction to a fine not exceeding 5*l*.

Landowner to
furnish lists of
houses.

27. And it is further enacted, that at any time after such election or appointment as aforesaid every householder within the division shall once in every year, on being thereunto required by the division officer thereof, furnish him with a list of the males resident in his house and of their respective ages, so far as the same shall be known to him. And any person neglecting to comply with such requisition, or wilfully omitting from such list the name of any such male, shall be guilty of an offence, and be liable on conviction to a fine not exceeding 5*l*. And every such householder shall thereupon be liable for the performance of the labour or payment of the commutation thereof due from any such male resident, under the provisions of this Ordinance for the year on account of which such list shall have been furnished. And if any such male resident shall be a person in the employ or in the receipt of wages from such householder, and if such resident shall leave or be discharged from such employ before the performance of the labour or payment of the commutation due as aforesaid, it shall be lawful for such householder to deduct the amount of such commutation from any wages that may be due to such resident at the time of his so leaving or being discharged.

Householder to
furnish list of
inmates.

28. And it is further enacted, that every such officer shall carefully preserve the lists furnished him under the provisions of the two preceding clauses, and shall at all reasonable times permit any person liable to the performance of labour, in respect of the division to which the same shall relate to have access thereto.

Division officer to
preserve lists.

29. And it is further enacted, that every such officer shall with the least possible delay, after his election or appointment, proceed to make a list of all males whom he may know or believe to be between the ages of 18 years and 55 years, residing within the division for which he may have been elected or appointed. And the names of such males shall be entered in such list alphabetically, according to their family names, and such officer shall immediately on the completion of the said list transmit an exact copy thereof to the District Committee of the district. And any such officer who shall wilfully omit the name of any such male from such list shall be guilty of an offence, and be liable on conviction to a fine not exceeding 20*l*.

List of persons
liable to service.

30. And it is further enacted, that the said officer shall from time to time insert in the lists by the preceding clause required, in its proper place, any name that may have been erroneously omitted therefrom, or the name of any person who shall subsequently to the formation thereof have become liable under this Ordinance to the performance of labour in respect of his division,

Necessary
alterations of lists.

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and shall strike out the name of any person who shall have been erroneously inserted therein, or who shall have died or been exempted from the performance of labour in respect of his division. Provided always, that every officer making any such addition, alteration, or erasure as aforesaid shall forthwith report the same to the District Committee of the district in which his division is situated, and any officer wilfully neglecting to comply with any of the provisions of this clause shall be guilty of an offence, and be liable on conviction to a fine not exceeding 10*l*.

Stranger arriving
in division.

31. And it is further enacted, that if at any time after the preparation and transmission of the list required by the 29th clause of this Ordinance, any person shall come to reside within the limits of any division, it shall be lawful for the division officer, and he is hereby required so to do, to call upon the person so arriving to declare whether he will perform in person the labour due by him, or whether he will commute the same, and to proceed thereupon in like manner as if such person had been resident in such division at the time of the preparation of such list. Provided always, that any such person arriving as aforesaid shall be exempted from performance of labour or payment of commutation on account of such division, on production of a receipt or certificate proving the payment or performance of the same on account of some other division for the same year. Provided also, that such person so arriving shall be exempted in like manner who shall come to reside in such division at any time within three months before the expiration of the current year, unless during the preceding months of such year he shall have resided in some other division of the island.

Committee to
furnish lists
annually to
Government.

32. And it is further enacted, that the said Provincial Committee shall on or before the 1st day of October in this present year, and on or before the 1st day of July in every subsequent year, transmit to the Governor a numerical abstract of the males resident within the province liable to the performance of labour under this Ordinance during the ensuing year, distinguishing the number thereof belonging to each district and division within the province.

Committee to
furnish estimates
for principal roads.

33. And it is further enacted, that the Provincial Committee shall on or before the said 1st day of October in this present year, and on or before the 1st day of July in every subsequent year, transmit to the Governor an estimate or estimates, to be prepared under the direction of the Commissioner of Roads, of the amount required to be expended during the ensuing year upon any road, river, lake, or canal within the province, which may have been declared to be a principal road, river, lake, or canal, or proposed principal road or canal as hereinbefore provided, and shall state at what time during such year the respective works could most conveniently be performed. And it shall be lawful for the Governor to propose such estimates, or such of them as to him may appear expedient, in the Ordinance for making provision for the contingent expenditure of the colony for such ensuing year, to be dealt with in like manner as any other estimate to be so proposed. Provided always, that the amount of labour to be supplied under the provisions of this Ordinance for the performance of any work or works for which an estimate or estimates may have been so proposed by the Governor and approved of by the Legislative Council, shall be distinctly stated in the Ordinance enacted for the same, and that the same shall not exceed two-thirds of the whole amount of labour due from the district or districts within which it may be required to be performed.

To be included in
the Supply
Ordinance.

Limitation of
appropriation of
labour.

Management of
principal roads to
be vested in
Commissioner of
Roads.

34. And it is further enacted, that the superintendence, direction, and control of any labour to be supplied under this Ordinance for the execution of any work provided by the Governor and the Legislative Council to be undertaken upon any principal road, river, lake, or canal, under the provisions of the preceding clause, shall be vested in the Commissioner of Roads for the time being, or such other officer as the Governor may direct. And the Provincial Committee shall, as hereinafter provided, furnish the said Commissioner of Roads or other officer with the proper amount of labour for each such work, or shall from time to time pay for such labour out of the sums received by them, as hereinafter provided, in commutation of labour due under this Ordinance.

Commissioner of
Roads to fix
commencement of
work.

Provincial Com-
mittee to apportion
labour.

35. And it is further enacted, that the Commissioner of Roads or other officer shall, immediately after any work shall have been in manner aforesaid directed by the Governor and the Legislative Council to be undertaken, inform the Provincial Committee of the time at which he proposes to commence such work. And it shall be lawful for such Provincial Committee, and they are hereby required to determine, as to them shall appear expedient, the proportion of the labour due from each district and division within their province, which shall be applied to each such work, provided that such appropriation shall be in strict conformity with any proclamations which shall have been published by the Governor, under the provisions of the 3rd and 4th clauses of this Ordinance, and which shall then be in force. And the Provincial Committee shall inform each District Committee of the amount of labour to be furnished by each division, in conformity with such appropriation. And such District Committee shall forthwith cause notices thereof, in the native languages, to be affixed to such conspicuous places within the respective divisions, as to them may appear expedient.

And inform division
officer of the
apportionment.

Provincial Com-
mittee to employ
unappropriated
labour

36. And whereas by the 33rd clause of this Ordinance it is provided that the amount of labour to be supplied under the same for the principal roads, rivers, lakes, and canals, shall not exceed two-thirds of the whole amount of the labour due from each district, and it is expedient to make provision for the due application of the remainder of such labour as may be most advantageous for the public. It is, therefore, further enacted, that it shall be lawful for the District Committee, with the approval of the Provincial Committee, to apply any such remainder of labour, or any money paid in commutation thereof for the repair, improvement, maintenance and formation of any minor road or path, river, lake, or canal within the district. Provided always, that no person shall be liable to be employed upon, nor shall the money paid by any person in commutation be applied under this clause to any work, if the place at which such work shall be undertaken shall be at a greater distance than seven miles from the place where such person shall reside.

Proviso.

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Provincial Committee to have charge of rest houses.

Election of performance of labour or payment of commutation.

List of those who elect to labour or pay.

Money to be at the disposal of chairman of Provincial Committee.

Notice of commencement of work on principal road.

Penalty on default of payment or performance.

Proviso.

Receipts or certificate to be granted by proper officer.

Labourer refusing to work.

37. And it is further enacted, that the charge of all rest houses, and of any premises belonging thereto, the property of Her Majesty, shall be vested in the Provincial Committee of the province within which the same shall be situated. And it shall be lawful for the said Committee, with the approval of the Governor, to make such rules as to them may appear expedient in respect to the letting or occupation of the same, and all such rules shall be binding in law upon all parties in any manner using or occupying any such rest houses, or any of the premises belonging thereto. And all sums which shall by virtue of any such rules or otherwise be received from any person hiring, using, or occupying any such rest house or premises, shall be paid over to the chairman of the District Committee of the district within which the same shall be situated. And it shall be lawful for the Provincial Committee, with the approval of the Governor, to apply any of the labour provided by or any of the money received under the provisions of this Ordinance, to the repair of any existing rest house and of the premises belonging thereto, and to the construction and repair of any such other rest house or other place of shelter for travellers, as from time to time may be found to be necessary.

38. And it is further enacted, that immediately after the appropriation by the Provincial Committee, under the provisions of the 35th clause of this Ordinance, of the labour of the respective districts, the division officer shall call upon every householder resident within his division then and there to declare whether each and every person mentioned in the list furnished by him under the provisions of the 27th clause of this Ordinance, will perform in person the labour hereinbefore required of him, or whether he will commute the performance of such labour as hereinbefore provided, and such declaration shall be deemed to be made by and on behalf of and shall be binding upon each such person. And such householder shall, within 10 days from the date of such decision, pay over to the division officer the commutation due on account of any such person.

39. And it is further enacted, that the division officer shall furnish the District Committee, with the least possible delay, with a list of the persons resident in his division who may have elected to perform the labour due from them, and a list of those who may have elected to pay the commutation, in respect to the ensuing year, and shall at the same time pay to the chairman of the said Committee all sums received by him.

40. And it is further enacted, that all sums which shall be received by the chairman of any District Committee, under the provisions of this Ordinance, shall be held by him, subject to the orders of the chairman of the Provincial Committee, and that the order of such last-mentioned chairman for the payment of any money, together with the receipt of the party to whom the same may have been paid, shall be held to be a full and sufficient authority and discharge for any such payment.

41. And it is further enacted, that the Provincial Committee shall, at least one calendar month before the commencement of any work upon any principal road, give notice thereof to the respective District Committees for each of the districts from which any labour may be due for the execution of the same, and such District Committees shall, through the proper division officer, call upon the householders to cause all the inmates of their houses who may have elected to perform the labour due from them, to attend and render the same at such time and place and in such rotation as may be directed by the said District Committees.

42. And it is further enacted, that if any person who shall have elected to commute the performance of labour, as hereinbefore provided, either on his own behalf or on behalf of any inmate of his house, shall fail to pay such commutation within the time appointed to the division officer, or if any person or householder who shall have elected to perform in person the labour due from him, or from any inmate of his house, shall fail or refuse to attend and perform the same, or to cause such inmate so to do at the proper time and place, when required so to do, any such person shall be guilty of an offence, and be liable, on conviction, to a fine not exceeding five pounds. Provided always, that it shall be lawful for any householder, who may be unable to procure the attendance of any such inmate, or who may himself be unable to attend, to pay over to the division officer, within seven days from the day appointed for such attendance, and instead thereof the sum of 6s., or twice the amount which may have been declared by the Governor, by any proclamation published under the authority of the 1st clause of this Ordinance, to be payable in respect of the district in which such householder shall reside, anything in this clause to the contrary notwithstanding, and which sum such householder shall be entitled to recover from any such inmate for whom the same has been paid. And provided further that it shall be lawful for any person, who shall have elected to perform the labour in person, to perform the same when required by substitute.

43. And it is further enacted, that any householder or person who shall pay any such sum as is hereinbefore required in commutation of the labour due from him, or from any inmate of his house, under this Ordinance for any one year, shall be entitled to receive a receipt from the division officer to whom the same shall be paid. And any person who shall perform the labour hereinbefore required of him in respect of any one year, shall be entitled to receive from the officer in charge of any work upon which he may be employed, a certificate of the due performance of such labour. And any division or other officer who shall wilfully neglect or delay to grant such receipt or certificate, shall be guilty of an offence, and shall be liable, on conviction, to any fine not exceeding 5l. Provided that all such receipts shall be free of stamp duty, and provided further that the officer in charge of any such work shall, at the termination thereof, or at the termination of the year during which the same shall be carried on, grant to the division officer a certificate showing the number of persons of his division who may have been employed upon such work during such year.

44. And it is further enacted, that any person liable to the performance of labour under this Ordinance, and who shall have elected to perform in person the labour due from him, or the

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substitute of any such person employed upon any work under this Ordinance, who, without reasonable cause, shall neglect or refuse to attend at and during the time and hours when or at the place where he may have been ordered to attend by the officer in charge of such work, or who shall be guilty of wilful neglect or disobedience of the orders of such officer, shall be guilty of an offence, and shall be liable, on conviction, to a fine not exceeding 10s. Provided the time and hours specified shall not be Sunday or any public holiday, and shall be after six in the morning and before six in the evening. And provided such place shall not be at a greater distance from the residence of such person than the distance described in the 3rd and 36th clauses of this Ordinance.

District Committee to exempt persons incapable of labour.

45. And it is further enacted, that it shall be lawful for the District Committee upon proof to their satisfaction that any person resident within the district, and liable to the performance of labour under the provisions of this Ordinance, is, either from disease or bodily or mental infirmity, incapable of performing the same, to grant such person a certificate of exemption from the performance thereof, either for life or for such period as may be stated therein; and the said Committee shall inform the proper division officer of the granting of any such certificate, and every such exemption shall be noted in the list kept by the said District Committee and in that kept by the said division officer.

District Committee may pay subsistence money.

46. And it is further enacted, that it shall be lawful for the District Committee, upon the application of any person who may be employed upon any work under the provisions of this Ordinance, to pay to such person as subsistence money for every day that such person may be so employed, a sum equal to one-half of the rate per day, declared under the provisions of the first clause of this Ordinance to be payable in respect of the district in which such work shall be situated, in commutation of labour due for the same, anything in the 40th clause to the contrary notwithstanding. Provided always, that any person applying for and receiving such payment shall be liable to the performance of 12 consecutive days' labour, exclusive of Sundays in the same year.

District Committee to determine questions of age.

47. And it is further enacted, that if at any time after the passing of this Ordinance any person shall claim to be exempted from the performance of labour, or from payment of the commutation thereof as hereinbefore provided, by reason that such person's age is less than 18 years or exceeds 55 years, or if at any time complaints shall be made that any person has been unduly exempted therefrom upon the like plea, or if any person shall refuse to labour upon any work upon the plea that the same is situated at a greater distance from the place where he resides, than that prescribed by the 3rd and 36th clauses of this Ordinance, it shall be lawful for the District Committee of the district to which any such person shall belong to make such inquiry as they shall deem necessary in respect to the age of such person, or in respect to such distance, and to determine whether such person be liable to the performance of labour or payment of commutation thereof, or not, and the decision of such Committee shall be final.

Division officer to render account.

48. And it is further enacted, that on or before the 1st day of March in each year, the division officer shall furnish the District Committee with an account in writing showing the amount received by him during the preceding year in commutation of labour due under the provisions of this Ordinance, together with a list of the persons resident within his division who shall have performed the labour due from them during the same period, and shall at the same time produce to the Committee the receipts of the chairman thereof for all sums paid to him by such division officer, under the provisions of the 39th clause of this Ordinance, together with the certificates received by such division officer in pursuance of the provisions of the 43rd clause thereof. And such Committee shall, after satisfying itself that all monies received by the said division officer have been duly and faithfully accounted for by him, grant to him a certificate to that effect, and shall transmit the said account, countersigned by the chairman thereof, to the Provincial Committee.

Payment of division officer.

49. And it is further enacted, that the division officer shall be entitled to demand and receive from the Provincial Committee at the termination of any year for which he may have served, and after he shall have received the certificate in the preceding clause referred to, such sum of money as the governor at the recommendation of the Provincial Committee shall award.

Headman and others to assist division officers.

50. And it is further enacted, that all headmen, and all police and peace officers, shall be aiding and assisting every division officer within their respective jurisdictions in the discharge in the discharge of the duties imposed upon him by this Ordinance, and every such headman, or police or peace officer, who shall wilfully neglect or refuse so to aid or assist when required by any such division officer, shall be guilty of an offence, and be liable on conviction to a fine not exceeding 5s.

Provincial Committee to furnish lists of labour rendered and works executed.

51. And it is further enacted, that the Provincial Committee shall, on or before the 1st day of April in each year, transmit to the Governor lists showing the amount of labour and money performed and paid on account of each district and division in the province during the preceding year, and of the several works to which the same may have been applied. And the said lists shall be laid before the Legislative Council as soon as conveniently may be after the receipt thereof, and shall also be published in the Government Gazette.

Proper officers empowered to enter upon lands for repair, &c., of roads and canals;

52. And it is further enacted, that it shall be lawful for any person authorised in writing by the chairman of a Provincial or District Committee, and for the servants, workmen, and labourers employed by or under any such person, at all times and with all necessary and proper carriages and animals, and other means, to enter upon all or any lands adjacent or near to any existing or intended street, road, thoroughfare, or public place or navigable river, lake, or canal, within the province or district for which such Committee is assigned to act, and there severally to do and perform all acts, matters, and things necessary for the purposes of tracing, measuring,

making, working, opening, altering, turning, repairing, clearing, improving, or fencing any such street, road, thoroughfare, or public place or navigable river, lake or canal, or for building, erecting, excavating, repairing, clearing or improving any bridge, fence, drain, dam, or ditch thereupon, or in any way connected therewith, or for performing any act, matter, or thing under the provisions of this Ordinance.

53. And it is further enacted, that it shall be lawful for any person authorised as aforesaid, with the servants, workmen, and labourers employed by or under any such person, at all reasonable times and with all necessary and proper carriages, animals, and other means to search for, dig, cut, take and carry away any water, timber, brushwood, stone, gravel, clay or any other materials whatsoever, for the purpose of tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing or in any way assisting in the tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving or fencing any existing or intended street, road, thoroughfare, or public place or navigable river, lake or canal, within the province or district for which such Committee is assigned to act, or of building, erecting, excavating, repairing, clearing or improving any bridge, fence, drain, dam, or ditch thereupon, or in any way connected therewith, or for the construction or repair of any lines or any buildings whatsoever required on or near any such street, road, thoroughfare, or public place or navigable river, lake or canal, for the use of any person authorised as aforesaid; or any workmen, animals, carriages, persons or things employed in his service in and from any land adjacent or near to any such street, road, thoroughfare, or public place or navigable river, lake or canal, and to carry away the same through the ground of any person, without being deemed a trespasser or trespassers. Provided that no timber, not being indigenous, shall be taken from any land, without the consent of the owner thereof. And provided further that the persons authorized as aforesaid shall rail or fence off any quarries or pits from which any such materials shall be taken, so that the same shall not be dangerous to any person or animal.

And to take materials;

54. And it is further enacted, that it shall and may be lawful for any person authorized as aforesaid, when tracing, measuring, making, working, opening, altering, turning, repairing, clearing or improving any existing or intended street, road, thoroughfare or public place, navigable river, lake or canal within the province or district for which such Committee is assigned to act, or building, erecting, excavating, repairing, clearing or improving any bridge, fence, drain, dam, or ditch thereupon, or in any way connected therewith, to make and erect temporary buildings on any land adjacent or near thereto for the accommodation of such person, or for the accommodation of the servants, workmen, labourers, animals, carriages or things employed by him during the progress of the work, and to keep all such cattle, horses and animals, as may be employed by him upon any lands near or adjacent thereto not at the time under actual cultivation, and to continue to keep the said cattle, horses and animals, on such lands for such time as may be necessary, and the person or persons in occupation of any such lands shall be bound to provide a sufficient quantity of grass or other fodder for the maintenance of such cattle, horses and animals, during such time as they may be kept upon the same, upon payment of the fair value of such grass or fodder; and if such person or persons shall on any day neglect or refuse to provide such grass or fodder, then such cattle, horses and animals shall and may be grazed on such lands for that day.

And erect buildings;

And keep cattle, &c.;

55. And it is further enacted, that in the tracing, measuring, making, working, opening, altering, turning, repairing, clearing, or improving any existing or intended street, road, thoroughfare, or public place, or navigable river, lake, or canal, or building, erecting, excavating, repairing, clearing, or improving any bridge, fence, drain, dam, or ditch thereupon, or in any way connected therewith, it shall and may be lawful for any person authorized as aforesaid to throw or cause to be thrown upon any lands adjacent or near thereto such earth, rubbish, or materials as it shall or may be necessary to remove from the place of any such work; and any person who shall remove back the same or any part thereof to the said street, road, thoroughfare, or public place, river, lake, or canal, shall be guilty of an offence, and shall be liable, on conviction thereof, to a fine not exceeding 5*l.*, and to payment of any expenses that may have been incurred in the removal of the same.

And throw rubbish upon adjacent lands;

56. And it is further enacted, that it shall be lawful for any person authorized as aforesaid to make or cause to be made a road through the grounds adjacent or near to any existing or intended street, road, thoroughfare or public place, or navigable river, lake, or canal during the execution of any work thereupon, or in any way connected therewith.

And make temporary road.

57. And it is further enacted, that every person tying or tethering, or causing to be tied or tethered, any horse, goat, sheep, cattle, or animal of any description, so that any such animal can or shall make its way into any street, road, thoroughfare, or public place within any town, or into any principal road or canal, unless such animal shall be so tied or tethered during the time required for loading or unloading it, or for the loading or unloading of any cart or boat to which it may belong, shall be guilty of an offence, and be liable, on conviction thereof, to a fine not exceeding 10*s.*

Person tying cattle on or near a road or canal.

58. And it is further enacted, that it shall and may be lawful for any person thereto authorized in writing by the chairman of a Provincial or District Committee to seize any horse, goat, sheep, cattle, or animal of any description which he may find tied or tethered, or straying, except during the time of loading or unloading as aforesaid, upon any street, road, thoroughfare, or public place within any town, or upon or in any principal road or canal within the province or district for which such Committee is assigned to act. Provided always, that if the person authorized as aforesaid shall not be a peace officer, every animal seized by him shall be forthwith delivered into the custody of the nearest peace officer; and every peace officer seizing, or receiving any animal seized as aforesaid, shall forthwith report such seizure to the proper Police Court; and such Court shall, if at the time of such report no claim be made to

Seizure of stray cattle.

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such animal, direct such peace officer to take the necessary steps for the safe custody and maintenance thereof, and to publish such seizure in the usual manner. And no animal seized as aforesaid shall be delivered to the owner thereof, unless upon payment into Court of the sum of 3s. for the use of the person by whom the same shall have been seized, and of a further sum of 6d. for each day during which the same shall have been kept in the custody of the peace officer for the use of such peace officer. And if no person shall claim such animal, nor shall pay such dues as aforesaid within 10 days after it shall have been so seized, it shall be lawful for such peace officer, and he is required, to sell the same by public auction; and after payment of 3s. to the person by whom the same may have been seized, and of the sum due to himself for the custody and maintenance thereof, to pay the remainder of the produce of such sale, if any, to the proper officer for the use of Her Majesty.

Destruction of stray pigs.

59. And it is further enacted, that the owners of all pigs found tied, straying, burrowing, or wallowing upon or in any street, road, thoroughfare, or public place within any town, or upon or in any principal road or canal, shall be guilty of an offence, and be liable, on conviction thereof, to a fine of 5s.; and that it shall be lawful for every person to seize, shoot, or otherwise destroy any pig that he may find tied, straying, burrowing, or wallowing upon or in any street, road, thoroughfare, or public place within any town, or upon or in any principal road or canal; and such person may, if he choose, take such pig to any peace officer having jurisdiction in such matter, who shall forthwith sell the same, and pay the produce of such sale to such person.

Proper officer may cut trees on road or canal.

60. And it is further enacted, that it shall be lawful for any person authorized as aforesaid to cut, remove, or cause to be cut and removed, and placed upon any ground adjacent or near thereto, all trees, and all leaves or branches or roots of trees, that shall grow in or overhang or in any way injure or impede the traffic or navigation upon any street, road, thoroughfare, or public place within any town, or any principal road or navigable river, lake or canal within the province or district for which such Committee is assigned to act; and for that purpose to enter upon any land or premises, and to cause to enter thereupon such persons, animals, instruments and things as may be necessary, and to proceed to do therein, or cause to be done, all such things as may be necessary for the due cutting, lopping, or removing of such trees, leaves, branches, or roots.

And put up fences.

61. And it is further enacted, that it shall be lawful for any person authorized as aforesaid to put up or make fences, hedges, ditches, drains, or banks by the side of any street, road, thoroughfare, or public place, or navigable river, lake, or canal within the province or district for which such Committee is assigned to act, whenever to them it shall appear necessary; and the owners or occupiers of land adjoining such fences, hedges, ditches, drains or banks, shall, and they are hereby required to keep the same in good and substantial repair and order. And the owners and occupiers of lands adjoining any street, road, thoroughfare, or public place within any town or any public road, or navigable river, lake or canal, who shall have fences or hedges of their own bordering thereupon, shall keep the same lopped to a height of six feet; and every owner or occupier of any such land, and every part owner or part occupier thereof, who shall fail to do anything required to be done by the owners or occupiers of any such land under the provisions of this clause, shall be guilty of an offence, and shall be liable, on conviction of every such offence, to a fine not exceeding 2l.

Access to premises adjoining public road.

62. And it is further enacted, that if the occupant of any premises adjoining any principal road, by the side of which a drain shall have been made or excavated, shall require the means of access to such premises from such road, such occupant shall be bound to place a bridge, platform, or arch, which shall in no case cover less than four feet of the length of such drain. And it shall be lawful for the Provincial or District Committee of the province or district in which such premises are situated, or for any person authorized in writing by the chairman of such Provincial or District Committee, if it shall come to their knowledge that any parties have access to any premises situated as aforesaid without such bridge, platform, or arch as aforesaid, to call upon the occupant of such premises forthwith to construct the same, and if he shall fail to do so within a reasonable time to cause the same to be done; and upon such chairman, or any person authorized as aforesaid, certifying to the proper police Court the costs which have been *bonâ fide* incurred in the placing of such bridge, platform, or arch, such Court shall summon the party or parties on account of whose default such costs were incurred to appear before him on a certain day, then and there to make payment of such costs, where it shall appear, after due investigation, that such costs were properly incurred; and if such party or parties shall refuse or fail to make such payment, the Court shall proceed to recover such payment in such and the same manner as it would proceed to recover any fine or penalty incurred under any sentence of such Court.

Penalty on persons injuring road or canal, &c. &c.;

63. And it is further enacted, that if any person shall wilfully pull up, throw down, cut, break, injure, damage, or destroy any post, rail, or fence, placed or to be placed, or put up either by the side or sides of any street, road, thoroughfare, or public place, or navigable river, lake or canal, or at or near to any pit or quarry which shall be used, opened, or made for the getting of stone, gravel, or other materials for the making or repairing of any such street, road, thoroughfare, or public place, or navigable river, lake, or canal, or of any bridge or other thing thereupon; or if any person shall wilfully cause any damage or injury to be done to any bridge, lock, lock-gate, dam, drain, sluice, or bank, or to any arch, wall, abutment, prop, or fence belonging thereto, which already have been, or which shall or may hereafter be built upon any such street, road, thoroughfare, public place, river, lake, or canal, or by the sides thereof;

Or destroying mile-post, &c.;

Or if any person shall wilfully damage, injure, or otherwise destroy any post or stone set up or erected by the side or sides of any such street, road, thoroughfare, public place, river, lake,

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or canal, to exhibit or show the number of miles or distance from or to any place or places whatsoever, or any direction post;

Or if any person shall wilfully remove any stone, log, or other thing laid on any such street, road, thoroughfare, or public place, for the temporary prevention of the use thereof;

Or if any person shall place or throw any earth or rubbish, or other matter or thing, upon or in any such street, road, thoroughfare, or public place, river, lake, or canal, or into any drain, ditch, or other water-course under or by the sides of any such road, river, lake, or canal, so as to obstruct the running off and draining of any water or moisture from or into any such street, road, thoroughfare, public place, river, lake, or canal;

Or if any person shall, without being thereunto authorized by the Provincial Committee or by some person authorized as aforesaid, gather, or heap up, or take away any stones, gravel, sand, or other material, slutch, dirt, mire, drift, or soil from off any such street, road, thoroughfare, public place, river, lake, or canal, or any part thereof, or the side or sides thereof, or any footpath or causeway belonging thereto.

Or if any person shall put up any erection or building, or fence, or other obstruction on or at the sides of any such street, road, thoroughfare, public place, river, lake, or canal, in such manner as to reduce the breadth thereof.

Or shall make or cause to be made any dam, ditch, drain, or water-course, upon or across, or shall otherwise break-up or injure the surface of any such street, road, thoroughfare, public place, river, lake, canal, or any part thereof.

Or if any person shall lead or drive any horse, ox, or other animal, from or off of any street, road, thoroughfare, or public place, within any town or any public road, in such manner as to cause any injury to the same.

Or if any person shall hang up or otherwise expose any mats, cloth, or other matter upon or immediately at the side of any street, road, thoroughfare, or public place, within any town or any public road.

Or if any person shall make any fire or fires upon, or shall wantonly let off or throw any lighted squib, rocket, or other firework, within 50 feet of any street, road, thoroughfare, or public place within any town or any public road, or shall race any horse, or cattle, or any other animal, or play at any game or exercise that may cause any riot, mob, or tumultuous meeting upon such road, river, lake, or canal, or the side thereof, or shall, by fighting or otherwise, collect together any such mob, to the annoyance of any traveller or passenger upon such road, river, lake, or canal.

Or if any person shall in any manner wilfully prevent any other person, or any carriage, boat, raft, or other conveyance under his care from passing upon any such street, road, thoroughfare, public place, river, lake, or canal.

Or if any person shall haul, or draw, or cause to be hauled or drawn upon any part of such street, road, thoroughfare, or public place, any timber, stone, or other heavy thing, otherwise than upon wheeled carriages, or shall suffer any timber, stone, or other thing which shall be carried principally or in part upon wheeled carriages to drag or trail upon such street, road, thoroughfare, or public place to the prejudice thereof.

Or if any person shall leave any waggon, cart, or other carriage, or other conveyance whatever upon such street, road, thoroughfare, or public place, or on the side or sides thereof without any proper person in the sole custody or care thereof, except in cases of accident, and in cases of accident, for a longer time than may be necessary to remove the same, or shall not place such cart, carriage, or conveyance during the time of loading or unloading the same as near to one side of the street, road, thoroughfare, or public place as conveniently may be, either with or without any beast of draught harnessed or yoked thereto.

Or shall leave any boat or raft in any such canal without mooring it at both ends, or in such a way as to obstruct the passage on such canal, or shall leave any raft or timber in or close to the same place in any such canal (except in some part thereof which shall be at least 100 feet wide) for a longer period than 48 hours.

Or shall lay any timber, stone, hay, straw, dung, manure, soil, ashes, rubbish, or other matter or thing whatsoever upon such road, river, lake, or canal, or any side or bank thereof, or on any side path or causeway adjoining, to the prejudice thereof, or to the prejudice, annoyance, interruption, or personal danger of any person or persons travelling or passing thereon.

Or shall suffer any water, filth, or other offensive matter, or thing whatsoever to run or flow into or upon such street, road, thoroughfare, or public place, from any house, building, erection, lands, or premises adjacent or near thereto.

Or if any person driving pigs or swine, or any other animals upon such street, road, thoroughfare, or public place, or near such canal, shall suffer such pigs or swine, or animals to root up or damage the same or the fences, hedges, banks, or copse on either side respectively.

Or if any person shall after having blocked or stopped any cart, waggon, or other carriage in going up or down a hill or rising ground, cause or suffer to be or remain on such street, road, thoroughfare, or public place, the stone, timber, or other thing with which such cart or other carriage shall have been blocked or stopped.

Or if any person shall pull down, damage, or destroy, any lamp or lamp-post erected in or near to the side of any such street, road, thoroughfare, or public place, river, lake, or canal, or any bridge or tollhouse erected thereon, or shall extinguish the light of any such lamp.

Every person so offending in any of the cases aforesaid shall be liable, on conviction of every such offence, to a fine not exceeding 5*l*.

64. And whereas it is customary in the cultivation of lands situated in the Peninsula of Jaffna to remove the stones from the same from time to time, and whereas the stones so removed are frequently placed upon the public roads, it is therefore further enacted, that when-

Or removing logs, &c., to prevent temporary use of road;

Or throwing rubbish, &c.;

Or taking away stones or gravel, &c.;

Or encroaching;

Or injuring surface;

Or injure road;

Or expose mats, &c.;

Or making fires or letting off fireworks;

Or preventing others from passing;

Or hauling or trailing timber, &c.

Penalty on persons leaving any cart in road, &c.;

Or leaving boat or timber, &c., so as to obstruct passage on canal, &c.;

Or laying timber or rubbish;

Or suffering water or filth to flow from adjacent lands;

Or suffering pigs or animals to do injury;

On leaving block;

On damaging lamp or lamp-post.

Persons placing stones upon roads at Jaffna.

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Penalty on erection
of kraals.

ever any stones shall be found to be so placed upon any public road within the district aforesaid, the placing thereof shall be deemed to be the act of the person in occupation of the land immediately adjoining, unless the contrary be proved, and such person shall be deemed to be guilty of an offence, and be liable on conviction to a fine not exceeding 5*l*.

65. And it is further enacted, that every person who shall place or continue any kraal, or any fence, or any other obstruction of a like nature in any navigable river, lake, or canal in this island, so as to impede or in any way interfere with the convenient navigation thereof, shall be liable, on conviction thereof, to any fine not exceeding 20*l*. And it shall be lawful for the Provincial or District Committee to cause any such kraal, fence, or obstruction so placed or continued as aforesaid in any such river, lake, or canal within the province or district for which such Committee is assigned to act, to be pulled up or otherwise destroyed.

Proof of right to
apparent encroach-
ment to rest upon
the owner.

66. And whereas the line of many public roads and thoroughfares has been altered to suit the purposes of private parties, and many obstructions and encroachments have been made in and upon the said roads and thoroughfares, proof of which it is in many cases impossible to establish by evidence at this distance of time, but which alterations, obstructions, and encroachments are greatly inconvenient. It is therefore hereby further enacted, that whenever a certificate shall be filed in any District Court, signed by the chairman of the Provincial or District Committee of the province or district within which such District Court is established, to the effect that to the best of his belief the line of any street, road, path, thoroughfare, or public place, river, lake, or canal within the jurisdiction of such Court has been altered without proper authority, or has been stopped up or obstructed, or encroached upon in some particular place or places, such Court shall forthwith call upon the party claiming to be the owner of the land from off which the said street, road, path, thoroughfare, or public place, river, lake, or canal, shall be alleged to have been turned, or upon which such stoppage or obstruction, or encroachment shall be alleged to have been made to prove his title to such land.

Survey by proper
officer to be
conclusive evidence.

67. And it is further enacted, that if any plan or survey made by the authority of the Provincial or District Committee shall be produced in evidence in support of any claim of Her Majesty, such plan or survey shall be deemed and taken to be conclusive proof of the facts exhibited therein, in so far as the claim of Her Majesty is concerned, unless satisfactory proof to the contrary shall be established by the party contesting such claim.

Removal of
obstructions or
encroachments.

68. And it is further enacted, that it shall be lawful for the Provincial or District Committee to give order verbally or by notice in writing, to be served personally or by affixing the same in some conspicuous part of the premises, to any person obstructing or encroaching upon any street, road, path, thoroughfare, or public place, or any navigable river, lake, or canal situate within the province or district for which such Committee is assigned, to act forthwith to remove or abate the same. And if any such person to whom such order or notice shall have been given shall refuse or neglect to comply with the same in a reasonable time, or if there be any doubt as to who is the proper person to whom such order or notice should be given, it shall be lawful for the said Provincial or District Committee to cause any such obstruction or encroachment to be forthwith removed or abated, and for that purpose it shall be lawful for the said Committee, or any person thereto authorized in writing by the chairman thereof, where necessary to enter into any house, garden, enclosure, or other premises, and to cause to enter therein such persons, instruments, and things as may be necessary, and to proceed to do therein or cause to be done all such things as may be necessary for such removal or abatement. And upon the chairman of the said Committee certifying to the Police Court of the district or place where such person resides or where such obstruction or encroachment existed, the costs which have been *bonâ fide* incurred in effecting such removal or abatement, such Court shall summon the party or parties on account of whose non-compliance with any such order or notice such costs were incurred, to appear before it on a certain day, then and there to make payment of such costs, where it shall appear after due investigation that such costs were properly incurred. And if such party or parties shall refuse or fail to make such payment, the Court shall proceed to recover such payment in such and the same manner as it would proceed to recover any fine or penalty incurred under any sentence of such Court.

Committee may in
certain cases
demand production
of title deeds ;

69. And it is further enacted, that if it shall at any time appear to the Provincial or District Committee, that any building, erection, enclosure, or encroachment, shall have been raised or made in any street, road, path, thoroughfare, or public place, or navigable river, lake, or canal, or on any waste or other ground, immediately adjoining thereto, and belonging to Her Majesty, except with the express permission, in writing, of the Government Agent, or some other competent authority, it shall be lawful for any such Committee to demand in writing, of the person claiming to be the owner of the premises on which such building, erection, enclosure, or encroachment, shall have been raised or made, the production of every deed, document, and instrument upon which such person founds such claim, and if the occupier of such premises, not being himself the alleged owner, shall refuse to give full information respecting the name and residence of such alleged owner, upon being requested so to do by such Committee, or if such alleged owner shall refuse to produce within 10 days, after being requested so to do, every deed, document, and instrument upon which he founds his claim to the said premises, and which shall be in his possession, or if any such deed, document, or instrument, shall not be in his possession, shall refuse fully to inform any such Committee, upon application, in whose possession they are, or if any person having in his possession any such deed, document, or instrument, shall refuse to produce the same within 10 days, after having been requested so to do, in writing, by any such Committee, every such occupier, alleged owner, and person so refusing shall be guilty of an offence, and be liable on conviction thereof, to any fine not exceeding 5*l*. And it shall be lawful for any such Committee, or any person thereto authorized in writing by the Chairman thereof, to enter upon any premises upon

which any such building, erection, enclosure, or encroachment, shall have been raised, or made as aforesaid and upon any other premises whatsoever, which it may be necessary to enter for the purposes of the survey hereinafter mentioned, and to make such survey of all such premises, as may be necessary to enable any such Committee to ascertain whether such building, erection, or enclosure, is an encroachment upon any street, road, path, thoroughfare, or public place, or navigable river, lake, or canal, or upon any land adjoining thereto, and belonging to Her Majesty. Provided always, that if any removal shall be effected after the due production of all deeds, documents, and instruments, affecting the title to such premises, and such premises shall nevertheless be adjudged by some competent Court, to be the property of the party laying claim to the same, any such Committee, shall be liable in damages, for all loss and injury occasioned thereby; but if the party claiming to be the owner of such premises, shall refuse or be unable to produce all such deeds, documents, and instruments, or of such deeds, documents, and instruments, shall not be produced within 10 days after application in that behalf, and any such Committee shall nevertheless have caused the removal of such building, erection, enclosure, or encroachment, then in the event of such premises being adjudged to be the property of the party claiming to be the owner thereof, any such Committee shall not be liable in damages for any loss or injury occasioned thereby.

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And make survey of premises.

Proviso.

70. And it is further enacted, that the deeds, documents, and instruments in the preceding clause mentioned, shall be produced on the premises to which the same may relate, or at such other place as the Provincial or District Committee may require, and that the power of demanding the production thereof in the preceding clause given, shall be deemed and taken to include the power of making such examination of such deeds, documents, and instruments, as shall be necessary, and every person refusing or failing to permit such examination of any such deed, document, or instrument, to any party authorized under this, or either of the above-mentioned Ordinances, to demand production thereof, and making such demand, shall be guilty of an offence, and liable on conviction thereof to any fine not exceeding 5*l*.

Demand of production of deed to include power of examination.

71. Provided always, and it is further enacted, that nothing herein contained, shall be construed to prevent any public officer duly authorized in that behalf, from making temporary use of any part of any street, road, thoroughfare, or public place, or navigable river, lake, or canal, for the public service, nor to prevent the superintendent of police from granting his license to the inhabitants for the erecting of temporary fences and enclosures, in order to the building, pulling down, or repairing their houses and other buildings, or of temporary decorations, within any town and limits, provided that the length and breadth of such enclosures be described in such license, and that there be sufficient room for coaches, carts, and other carriages or boats to pass, and provided that the person obtaining such license, shall immediately after sunset, during all the time that the enclosure shall continue, if required by the said superintendent of police in such license, place and keep a sufficient light upon the premises till daybreak, and any person removing or extinguishing such light during such time, shall be guilty of an offence, and be liable on conviction thereof to any fine not exceeding 1*l*.

Proviso.

72. And it is further enacted, that every party who shall sustain any loss or damage by reason of the exercise of any of the powers or authorities conferred by the 52nd, 53rd, 54th, 55th, and 56th clauses of this Ordinance, upon the Provincial and District Committee, and persons therein specified, shall be entitled to receive from the Government compensation for the same. Provided that he shall make application in that behalf to the Chairman of the proper Provincial or District Committee, within 30 days after the completion of the work in respect of which such damage shall be alleged to have been done.

Compensation for injury to property by authorized officers.

73. And it is further enacted, that every person acting under the authority of the Provincial Committee, who shall under pretence of performing any act under the authority of this Ordinance, use any unnecessary violence, or give any uncalled for and vexatious annoyance, shall be guilty of an offence, and be liable on conviction thereof to any fine not exceeding 5*l*.

Vexatious conduct of officer.

74. And it is further enacted, that all persons who shall wilfully resist, obstruct, hinder, or molest, and all persons who shall incite, procure, or assist others to resist, obstruct, hinder or molest, any person acting under the authority of the Provincial or District Committee, or any workman, labourer, or other person acting under any such, in the discharge of any duty or the performance of any act which they shall be authorized or required to perform by this Ordinance, shall be guilty of an offence, and be liable on conviction thereof to a fine not exceeding 5*l*.

Obstruction of officer.

75. And it is further enacted, that all headmen, and all police and peace officers shall be aiding and assisting in the prevention of all offences against this Ordinance committed within their respective jurisdictions. And every headman, and every police or peace officer, who being cognizant of any such offence having been committed within his jurisdiction, whether upon his own view, or upon the information of others, shall fail to make complaint thereof before some judge or magistrate or justice, or who shall refuse to receive any information respecting any such offence, or shall fail to act promptly and vigorously thereupon, or who shall fail to observe any rules which may be laid down by the Government Agent for his guidance in the discharge of his duties in respect of this Ordinance, shall be guilty of an offence, and be liable, on conviction thereof, to a fine not exceeding 5*l*.

Headmen to enforce provisions of Ordinance.

76. And it is further enacted, that one-half of all fines actually recovered and realized under the provisions of this Ordinance, shall go to our Lady the Queen, and the other half to the informer, and if any person upon whom any such fine shall be imposed shall fail to pay the same, the informer shall be entitled to receive from the Government Agent the amount of the share of such fine, to which he would have been entitled, if the same had been paid, provided that the said Government Agent shall not be bound to pay, in respect of any one such share, any sum exceeding the sum of 7*l*. 0*l*s.

Informer's share of fines.

77. And it is further enacted, that it shall be lawful for any Provincial or District Com-

Committee may sue and be sued.

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mittee for the time being, to call in and compel the payment of all sums of money which shall at any time be due and payable to any such Committee, or to any division officer, under and by virtue of any of the provisions of this Ordinance, and to make and enter into, perform and execute, and compel the performance and execution of all such contracts and agreements, matters and things, and to commence and maintain all such suits and actions as they shall deem necessary to the performance of the duties imposed on any such Committee by this Ordinance. And all such contracts and agreements shall, and may be entered into and enforced, and all such suits and actions be brought by them in the name of the Provincial or District Committee of the province or district for which any such Committee is assigned to act, without specifying the names of the members of any such Committee or the name of any member thereof; and no action shall abate by reason of the death, resignation, or removal, or going out of office of any member of any such Committee. And all suits or actions, the cause of which shall arrive or accrue to any person whatsoever, from or by reason of any contract or agreement, or any other matter or thing, made or entered into, done or performed by the said Provincial or District Committee in the execution of the powers vested in them by this Ordinance, shall be brought by such person against such Provincial or District Committee under the name and title aforesaid. Nor shall any member of any such Committee, by reason of his being a plaintiff or defendant in any such suit, be prevented from being a witness therein. And the service of all process in any such suit or action, against any such Committee, shall be made upon the chairman thereof.

Interpretation of
terms.

78. And it is further enacted, that for the purpose and within the meaning of this Ordinance, any person lawfully administering for the time being the government of this island shall be deemed and taken to be the Governor thereof; and that any person being in this island, and who shall have been domiciled therein for the space of 12 calendar months or upwards, or who being in this island shall be the owner or lessee of any lands or tenements situate therein, and shall have been domiciled therein for the space of three calendar months or upwards, shall be deemed and taken to be resident within this island within the meaning of this Ordinance; and that in the construction of this Ordinance the word "Roads" shall be understood to include the pathways, drains, embankments, ditches, and all such portions of land adjoining the same as have been specially reserved for the protection or benefit of the road; and all waste land or ground lying on the side of any such road being part of the road, and which has been used and accustomed to be used as a public passage, as also all such roads as may be made under the provisions of the 55th clause of this Ordinance. And that the word "Canal" shall be understood to mean the full extent of waterway from bank to bank, and to include the sides thereof, the towing-path, the embankment, and all drains or sluices communicating therewith.

Ordinance No. 16
of 1844 repealed,
excepting certain
clauses.

79. And it is further enacted, that the Ordinance No. 16 of 1844, entitled "An Ordinance for the preservation and improvement of the Streets, Roads, Thoroughfares, and public places within Towns, and of the public Roads, navigable Rivers, Lakes, and Canals of this Island," shall be and the same is hereby repealed, except the 16th, 17th, 23rd, and 24th Clauses thereof, and except as to the repeal thereby of any former laws, customs, proclamations, and regulations, and except as to any offences already committed, and as to any fines, penalties, dues, forfeitures, or liabilities incurred thereunder.

Ordinance when to
take effect.

80. And it is further enacted, that this Ordinance shall commence and take effect from and after the promulgation thereof.

Passed in Council the Thirteenth day of April, One thousand eight hundred and forty-eight.

G. C. TALBOT, Acting Clerk to the Council.

Published, by order of his Excellency the Governor,
J. EMERSON TENNENT, Colonial Secretary.

Encl. 2 in No. 15.

Enclosure 2 in No. 15.

MINUTE by the GOVERNOR.

September 4, 1847.

IN considering the mode by which provision may be most readily, effectually, and cheaply made for opening up the internal communications of the country, it has occurred to me that much advantage may be derived from the formation of local councils, somewhat analogous to the district councils of Canada or of New South Wales, and of the more recently formed councils (if I am not mistaken) of the Cape of Good Hope.

The old Dutch Landraads, and even the native "Gansabes" of this colony, appear to have possessed something of a similar character. If we admit, as I am strongly inclined to think we must do, that the authority of the superior class of natives over their fellow-countrymen, and the influence which they formerly derived from position, wealth, and character, has been gradually too much diminished, by circumstances partly under the control of Government and partly dependent on the necessary current of events, the time may probably have now arrived when the restoration of that authority and the adaptation of that influence to the purposes of good government may be effected without much difficulty, and justified by the probable advantages to be expected from it.

I wish you therefore to consider how far you concur with me in the propriety of forming local councils, in which the better class of natives may take an advantageous part, and what measures may be best adapted to ensure their efficient working, as well as the powers which it may be necessary to entrust to them.

My own opinion is, that we might safely commit to them; in the first instance, the charge of all the cross roads, or minor lines of communication between village and village, and between the different villages and the great high roads of the colony, which will be maintained by Government.

For this purpose, I would give them power to raise money by assessment, and also to commute that assessment into a contribution by personal or other labour, or of material, which would be a boon to many proprietors of the soil. If once these local bodies were brought into operation, and the natives became habituated to the elements of self-government, aided as they would be in some districts by Europeans, it might be well to consider how far they may be entrusted with the maintenance and management of a rural police, and with the conduct of other matters connected with the collection and administration of the land revenue. The amount of responsibility entrusted to them would become gradually enlarged, as their experience and their fitness for the duties required of them became more developed.

A true Copy.

W. MORRIS, Acting Clerk to the Council.

CEYLON.

(No. 92.)

No. 16.

No. 16.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Pavilion, Kandy, May 6, 1848.

(Received June 26, 1848.)

MY LORD,

THE Ordinance, No. 9, now submitted for confirmation, is intended to apply a remedy to one of the most serious nuisances in Ceylon—the excessive number of dogs, many of them dangerous from their ferocity, and all liable to perpetuate the awful disease hydrophobia, which is unfortunately of frequent occurrence throughout the island.

Many of these dogs are supposed to be without owners, and bred in the jungle near the houses of the natives, whence they infest the streets and highways in search of food. Besides, the natives themselves take no pains to destroy such of the offspring of their domestic dogs as they do not wish to keep for the protection of their houses, but drive them off to increase the inconvenience and risk of the public.

In order to discriminate between those claimed by owners and justify the police in taking measures for the abatement of the nuisance by the destruction of the others, the present Ordinance has been passed, imposing a small annual tax on all dogs, the effect of which, it is hoped, will be to reduce the number kept to that actually required for protection and the safety of private dwellings; the remainder being left to be disposed of by the proper authorities.

I have to request for this measure your Lordship's favourable consideration, and Her Majesty's confirmation.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

Answered July 14,
1848, No. 250, page
331.

Enclosure in No. 16.

Encl. in No. 16..

ORDINANCE enacted by the Governor of Ceylon with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 9.

To require the Owners of Dogs to take out Licenses for the same.

WHEREAS it is necessary to keep down the number of dogs in this island, and it is expedient to make further provision in this behalf by requiring the owners of dogs to take out licenses for the same annually. Preamble.

1. It is therefore hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that from and after the time when this Ordinance shall come into operation, it shall not be lawful for any person residing in this island to have in his custody or possession, or to keep or permit to be kept or to remain in his house or premises, any dog or dogs, unless a license for every dog so possessed or kept by him, or allowed to be kept or to remain in his house or premises as aforesaid, shall have been obtained in manner hereinafter provided. And any person who, contrary to the provisions of this Ordinance, shall have in his custody or possession, or shall keep or permit to be kept or to remain in his house or premises, any dog for which a license shall not have been obtained which shall be then in force, shall be guilty of an offence, and liable, on conviction thereof, to a fine not exceeding 10s. License to keep dogs.

2. And it is further enacted, that any person who may be desirous to obtain any such license, shall make an application to that effect to the Government Agent or any Assistant Government License, how obtained.

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Agent of the province within which such person resides, who shall issue to such person a license for every dog, as near as is material according to the form in the Schedule hereunto annexed marked A, which license shall be on a stamp of 1s., and shall be in force until the 31st day of December in the year in or for which the same shall be granted, and no longer.

Register of licenses.

3. And it is further enacted, that every such Government Agent or Assistant Government Agent shall register all such licenses so granted by him in a book to be kept for that purpose; and it shall be lawful for any person, at any time during office hours, on payment of a fee of 6d., to demand inspection of the said book, and to take any copy or extract therefrom.

Proceedings where license is lost, &c.

4. And it is further enacted, that if any such license shall be by any casualty destroyed, defaced, or lost, it shall be lawful for the person to whom the same shall have been granted to report the same to the Government Agent or any Assistant Government Agent of the province wherein such person resides; and if such Government Agent or Assistant Government Agent shall be satisfied of the fact of such casualty or loss, he shall grant to such person a certificate in the form in the Schedule hereunto annexed marked B, reciting such loss, and setting out the purport and effect of the license so lost, defaced, or destroyed, and such certificate shall be in lieu thereof, and of like force and effect.

Superintendent of police may enter houses and remove and destroy unlicensed dogs.

5. And it is further enacted, that it shall be lawful for any superintendent of police, and for any inspector of police specially authorized in writing by such superintendent of police, or if there shall be no such officer, for any constable or police officer specially authorized in writing by any Government Agent or Assistant Government Agent, at any time in and during which dogs not being led or carried may be destroyed under the order of the Governor, issued by him in virtue of the provisions of the Ordinance No. 9 of the year 1842, entitled "For the prevention of mischief by Dogs," to enter, in the day-time, into any house or premises situated in any place which shall be mentioned in any such order within their respective jurisdictions, and if any such superintendent or inspector of police, or constable or police officer as aforesaid, shall find any dog therein above the age of three months, to require the occupant of such house or premises to produce his license to keep such dog; and if such superintendent or inspector of police, or constable or police officer, shall find in any such house or premises any dog for which a license has not been obtained; or if, on his requisition, the license for such dog shall not be produced to him by such occupant, it shall be the duty of such superintendent or inspector of police, or constable or police officer, and he is hereby required, to take the said dog, or cause the same to be taken by any officer of police, or other person employed for that purpose, to the nearest police station, and there drowned or otherwise put to death, and the carcass thereof buried or otherwise disposed of, in such manner as the principal officer on duty at such station shall direct. Provided, however, that no such dog shall be removed or destroyed as aforesaid, if the owner, or other person on his behalf, shall consent forthwith to take out a license for the same, and shall deposit with such superintendent or inspector of police, or with the principal officer of police on duty as aforesaid, the amount required for such license.

Abuse of powers an offence.

6. And it is further enacted, that if any superintendent or officer of police, or any other person, shall wantonly or maliciously exercise any of the powers or authorities confided to him by this Ordinance, or shall in any way wilfully exceed such powers and authorities, he shall be guilty of an offence, and liable, on conviction thereof, to any fine not exceeding 5l.

Proof of license.

7. And it is further enacted, that whenever, in any prosecution or proceeding under this Ordinance, any question shall arise as to whether a license has been obtained for any dog, the proof that such license has been obtained shall lie upon the party against whom such prosecution or proceeding shall be had, Provided that it shall be lawful for the Court to award a reasonable sum in lieu of costs to the accused against any person who may have made a vexatious complaint; and such sum shall be recovered in like manner as any fine imposed by such Court.

Limitation of prosecution.

8. And it is further enacted, that no prosecution shall be instituted against any person for any offence committed against any of the provisions of this Ordinance, unless the same shall be commenced within one calendar month from the time of the commission of such offence.

Informer's share of penalty.

9. And it is further enacted, that one-half of all fines actually recovered and realized under the provisions of this Ordinance shall go to our Lady the Queen, and the other half to the informer.

Ordinance when to take effect.

10. And it is further enacted, that this Ordinance shall commence and take effect from and after the 1st day of August, 1848.

A.

Form of License to keep a Dog.

No. _____ A. B., of _____, was this day licensed to keep a dog of the following description:—

Sex	—	—	—	—	—	—
Colour	—	—	—	—	—	—
Size	—	—	—	—	—	—
Breed	—	—	—	—	—	—
Any peculiar or distinctive marks	—	—	—	—	—	—

Issued the _____ day of _____

(Signed)

Government Agent.

NOTE.—This License will cease to be in force on the 31st day of December, 1848.

B.

Whereas, on the _____ day of _____ last, a license to keep the dog herein mentioned was granted by _____ to A. B. of _____

And whereas it has been proved to my satisfaction that the said license has been (destroyed, defaced, or lost, as the case may be.) Now I do hereby grant the said A. B. this certificate to be in lieu of the said license, and of the like force and effect.

Given under my hand at _____, this _____ day of _____ (Signed) _____ Government Agent.

Sex	—	—	—	—	—
Colour	—	—	—	—	—
Size	—	—	—	—	—
Breed	—	—	—	—	—
Any peculiar or distinctive marks	—	—	—	—	—

Passed in Council the Thirteenth day of April, One thousand eight hundred and forty-eight.
G. C. TALBOT, Acting Clerk to the Council.

Published by order of His Excellency the Governor,
J. EMERSON TENNENT, Colonial Secretary.

No. 17.

No. 17.

MEMORANDUM by Lord TORRINGTON.

No. 24. Ceylon.

Separation of Land Revenue from Ordinary Revenue.

THE inconvenience of including so precarious a source of income as the receipts from sales of land, among the ordinary ways and means of the colony, has often been seriously felt.

It appears to me to be much more prudent to class it under the head of Extraordinary Resources. It is in reality, not revenue at all, but capital realized; that is, land converted into money, and for ever alienated. The separation of this branch of income from the ordinary revenue, was recommended to the Lords of the Treasury by Lord John Russell shortly before he left the Colonial Office in 1841, and my Lords expressed their concurrence in this view of the case in the letter of Mr. Trevelyan to Mr. Stephen of the 31st August, 1841. Their Lordships' letter was transmitted to this Government by Lord Stanley in his Despatch of the 30th October, 1841, No. 20, and it was at the same time intimated that the land revenue might be applied to purposes of local improvement, &c. Nothing further, however, appears to have been done in the matter up to the present time.

I think it is a subject deserving of much consideration. In New South Wales, the land sales have, for many years, been included under the head of "Casual and Territorial Revenue;" and by Lord John Russell's instructions, the half of it was directed to be applied to purposes of immigration, and the other half to purposes of local improvement, with the reservation however that the whole might be applied to immigration. It was upon the security of this fund also, that money was raised on loan by means of debentures, for purposes of immigration. And it was from this fund also that the debt so incurred by Sir G. Gipps was recently paid off; and upon the credit of that fund also a new loan to the extent of 100,000*l.* has been recently made by Sir Charles Fitzroy.

I strongly recommend its being kept distinct from the ordinary revenue in Ceylon.

Colombo, January 14, 1848.

TORRINGTON.

(No. 126.)

No. 18.

No. 18.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo, July 9, 1848.

MY LORD,

(Received August 26, 1848.)

Answered Sept. 30,
No. 292, page 339.

It is my duty to report to your Lordship without delay, that on Thursday the 6th instant, a large number of country people, belonging principally to two of the districts in the neighbourhood of Kandy called Upper

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and Lower Doombera, together with a few of the peasantry from other parts, assembled in the town of Kandy, and proceeded to the Government Agent's Cutcherry, apparently with the view of making a representation to him or of presenting a petition to Government.

As the crowd continued to increase, and became at length noisy and troublesome, Mr. Buller adjourned to an octagonal building adjoining the temple of the Maligawa, fronting the Esplanade, now used as a military prison, from the gallery of which he attempted to address the people. The whole of the Esplanade was at this time filled with a crowd, apparently a good deal excited, some by drink, others by the instigation of turbulent people, who are at all times to be found in every large assemblage. The number at this time is represented to have been about 3000. The object for which they had come was avowedly to complain of the new Ordinances for compelling them to take out licences for their guns and dogs, and also of the Road Ordinance, which latter they had evidently been misled into regarding in a doubly erroneous light, namely, as the restoration of a poll tax, (to which, in former times, none but Malabars were subjected,) and of the Rajakaria, or forced labour, which was abolished in 1833.

They had all come entirely unarmed, and likewise unattended by their headmen, which is deserving of remark, because, from subsequent information which I have received, there can be little doubt that the principal headmen of two districts, if not active participators in the proceedings, were at all events tacit abettors of this mistaken attempt to intimidate and create disturbance.

The assembling of so large a body of people in Kandy was however unexpected by the authorities at this time, because it was only two days before that, Mr. Buller, the Government Agent, had personally visited the two districts, in which some excitement had been manifested, and having assembled the people and heard their statements, had been at much pains to explain to them the real nature of the Ordinances, and had endeavoured (apparently with entire success) to remove from their minds the fears and erroneous impressions with which they had been imbued, respecting other expected taxes which, in reality, the Government had never even thought of introducing.

1.

That your Lordship may be the better able to judge of the nature of their complaints, I enclose for your perusal copy of Mr. Buller's letter to Government, and his report of his visit to the districts of Doombera and Oudoonowera, and of the conferences which he held with the inhabitants. Many of their complaints were entirely without foundation, and they were apparently readily satisfied with the explanations given. Little anticipating, therefore, that these very people would so soon assemble at Kandy itself, Mr. Buller appears to have somewhat lost his presence of mind when so large a body of the peasantry suddenly presented themselves to him.

2.

I enclose to your Lordship copy of Mr. Buller's report to Government of the occurrences of Thursday the 6th, written apparently under greater apprehension (as the issue has since proved) than the occasion really required. The small body of native police at Kandy were at first insufficient to control, much less to disperse, so large an assemblage, and it was found necessary, before the day closed, to call in the aid of the military to support the authority of the magistrates and enable the police to act with effect.

Lieut.-Colonel Drought, with two companies of the 15th Regiment, accordingly marched into the Esplanade, and upon their appearance the mob began to retire before the police, and ultimately withdrew to their villages without committing any further disturbance or any breach of the peace. They were given to understand, that small deputations of them, if unarmed and properly attended by their headmen, would be received by the Colonial Secretary at the Pavilion at Kandy, on Saturday the 8th, (yesterday,) when every representation they might have to make would be listened to.

In the mean time, as it was impossible to judge with certainty how far the passions of the Kandians, (at all times an excitable people,) when once awakened and misguided by erroneous representations, might lead them into violence, it was judged expedient, although it was expected that all would end quietly, to adopt every possible precaution for the protection of the inhabitants of the town and to prevent any breach of the peace in the neighbourhood. In addition to the judicious arrangements adopted by the Commandant, under the orders of the Major-General, for the disposal of the troops at Kandy, and the

out-stations, all the European residents and burghers were sworn in as special constables, together with about 50 Malays, to the latter of whom pay was promised at the rate of 1s. a-day, and 1s. 6d. for serjeants, for the short time their services would be required. Everything however went on quietly, and yesterday morning the conference took place at the Pavilion with Sir Emerson Tennent, who appears to have managed it with considerable tact and judgment; and the people dispersed quietly to their homes at the close of the day, apparently disabused of many of the errors which they had adopted, and better disposed to put confidence in the good intentions of the Government.

I enclose to your Lordship a copy of Sir Emerson Tennant's full and interesting report of all the steps which were taken upon his arrival at Kandy, which appear to have been equally judicious and successful. The excitement appears to have now entirely subsided, and the dismissal of two of the Rattamahatmeyas or principal headmen in the service of Government for neglecting their duty, and the warning held out to the other headmen who failed to show the degree of energy expected of them, and to exercise their proper influence over the people, will undoubtedly have the effect of stimulating the exertions of the chiefs of other districts.

It seems that even the collection of the statistical returns for the Blue Book, which are now done with greater accuracy and minuteness than formerly, led them to think it must be preparatory to the introduction of new taxes, so that they even believed that their Jack and cocoa-nut trees, their cattle, and even their women and children were about to be taxed.

But there is some reason also to believe, that the Buddhist priesthood have not been without influence in kindling this excitement of the people, although the most influential priests at Kandy itself deny the imputation. But the authority of the priests in the districts from which the greater part of the people come, is very great, and they are avowedly dissatisfied with the entire withdrawal of the Government from every kind of assistance or interference in the management even of the temporalities (so to speak) of their establishment, and without the authorized substitution as yet of any other power, either calculated or enabled to reduce to order and regularity the confused chaos of their affairs.

I trust that the settlement of this question may not be long delayed.

That I may not withhold from your Lordship any of the documents bearing at all upon the recent proceedings, I think it right to forward translated copies of two petitions which were presented to the Government Agent on behalf of the people in the Singhalese language. No signatures were attached to either of them, so that, strictly speaking, they could hardly have been received. The originals appear from the writing to have been penned by priests, though not presented on their behalf. They cannot be said to represent the real feeling of the people, for I have abundant reason to think, that the mass of the Kandians are by no means disaffected. They rather exhibit the statements and arguments which are made use of from time to time by a few discontented and troublesome spirits in order to try to rouse others to join them; but in this they meet with little success.

Finally, it is my duty to state, that within the last few weeks, one of the many Malabar pretenders to some relationship with the late king of Kandy, who have, from time to time, come over to endeavour to raise a party in their favour among the Kandians, is represented to have been collecting the people in small parties at night in some of the temples in the more retired parts of the country, but has rapidly removed from place to place, the moment he had reason to think that his hiding-place might be discovered. Although I attach little importance to the movements of this individual, and have no reason to think that he has had any connexion with the recent assembling of the people at Kandy, I gave directions, not long ago, that he should be seized and treated as a vagrant wherever he might be found. I have now issued further orders upon this subject, and there is little doubt that his place of concealment will soon be discovered.

I have thus, my Lord, detailed, with the utmost frankness, the whole of the circumstances which have come to my knowledge in relation to the movement at Kandy. If I have dwelt at greater length upon some parts of the subject, than the occasion really appeared to require, I have been actuated by the feeling that it was my duty to withhold nothing from your Lordship, that

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might be calculated at a distance from the scene to present a clearer insight into the whole character of the Kandian people and the position of the Government of this colony. I do not apprehend any disturbance or any further renewal of the excitement. But I shall not fail to take every proper precaution to prevent mischief on the one hand, and to adopt, on the other, every reasonable and judicious means to remove from the people all cause of just or well-founded complaint. If, on closer examination, any of the new Ordinances shall appear to require amendment, and to be capable of being improved in the detail without surrendering the principle of them, I shall take the matter into mature deliberation previously to the next meeting of the Legislative Council. At present, it appears to me, that they have been partially misunderstood or designedly misrepresented.

I shall not be disposed to yield anything whatever to clamour or excitement, or to let it be imagined that the threat of violence can intimidate the Government.

I feel assured that public tranquillity will continue uninterrupted.

The Right Hon. Earl Grey, (Signed) I have, &c., TORRINGTON.
&c. &c. &c.

Encl. 1 in No. 18.

Enclosure 1 in No. 18.

**Government Agent's Office, Kandy,
July 5, 1848.**

SIR,

In reply to your letter of the 4th instant, received late this evening, I have the honour to forward my report, as therein requested. The only two districts in which any excitement has been raised are those of Doomberra and Oudonowere. The former I have visited, and the people have represented themselves as satisfied with the explanation that has been given. I yesterday explained the Ordinance to the people of Oudonowere also, and I believe now there is little excitement in the province. Some of the other headmen have particularly requested me not to go to their districts, as they are quite quiet, and my doing so would have an injurious rather than a beneficial effect.

The Hon. the Colonial Secretary. (Signed) I have, &c.,
C. R. BULLER, Agent.

Kandy, July 5, 1848.

I REACHED Gallaloowe at half-past six, and having waited about an hour for the people to assemble, I inquired of them whether they had anything that they wished to represent, or on which they required any explanations. They said they had, and began to recapitulate a number of grievances, as they termed them.

They said that when Mr. Turnour, the former Agent, first advised them to come forward and redeem in perpetuity the taxes on their lands, by the payment of 10 years' tax, he assured them that by thus doing they would be exempted in future, not only from the Paddy Tax, but from every other tax whatever.

To this it was replied, that they must have mistaken Mr. Turnour's meaning, as no one was better aware than he was that he could not make such a promise to them; that he, as Agent, could not bind the Government to do anything, as he was merely acting for them, and obliged to comply with any orders he received, and therefore it was impossible for him to make any such promise.

They then said, "There were six Ordinances read to us on Sunday last by the Coralle." The Coralle explains that there were only three, and three other Minutes of Government, in explanation of the others; that by orders of the Ratte Mahatmeya he beat the tom-tom, and collected the people, and that the Ordinances he read were the Gun, the Dog, and the Stamp Ordinance. They then said they had understood them to be six Ordinances, for six different taxes.

They then said that they greatly objected to the Dog Ordinance, and to having to pay one shilling for their dogs, and represented that they intended to petition the Queen against it. The Agent explained to them that the better course would be to give a petition immediately to him; he would present it to the Colonial Secretary on the next Saturday, at the meeting to be held at the Pavilion on the 8th instant, when they would receive from the Colonial Secretary an answer to it.

They then complained against the Road Tax; but on this being explained to them, they only said Mr. Turnour had promised that they should not be further taxed if they redeemed the tax on the paddy lands, and therefore it was unjust to tax them again. One man said that in his house were eight persons, all within the age that were obliged to work, and it was hard to make them pay 3s. each; whereas, in another house, all were old and exempted. It was then explained that they could give their labour for six days, and that they would not be all called out to work on the same day, and that six days in one year was not at all a hard

task for them; and that, in regard to the old men being exempted, it was a very reasonable and just exception that had been made, and that they ought not to desire it otherwise. They then said they did not like to work out of their own district. They were then told that in all probability they would not be required to do so, as by the law they could not be made to work at any distance beyond 20 miles, and that it will be the duty of the Committee to endeavour to apportion the labour of each village to that part of the road that was nearest to it. They were also informed that the opening of the roads tended to their benefit and the improvement of the country generally.

They then said, "There are now 30 taxes to be imposed upon us." I told them that I was wholly unaware of any such intention on the part of the Government, and that the report must have been spread by some designing parties who wished to injure them by creating dissatisfaction in their minds, and I requested them to name some of them.

It then appeared that they imagined that the return of gardens and chenas, &c., that had been called for was supposed by them to be for the purpose of taxation, but it was explained to them that such was not the case, but that it was required by the Agent in order that he might have it in his power to make such recommendations to Government as would tend to the improvement of the cultivation of the district.

They then said, "Even the washermen, carpenters, and blacksmiths are to be taxed." The Agent informed them that they were mistaken in that also, as there was no such intention on the part of Government. It appears that they fancied the Shop Tax would include washermen, carpenters, and blacksmiths.

They then said, "Our women and children are to be taxed." I asked them why they thought so; when they said, "Why do you require a return of them?" This was explained also.

It appears that a report also had been spread that, for the purpose of identification, the breasts of the women were to be measured, in the same way that the dogs and guns were to be, and the idea of this has of course given great offence.

Another report was that the houses were also to be taxed, as well as the buffaloes, but it was explained that there were no such taxes in contemplation, and the people then said they were quite satisfied, but that they would petition against the Dog Tax. They then said, "We wish ourselves to be present at the levee on Saturday," but they were told that the headmen would be present, and represent them. They said, "We are not satisfied with the headmen, they are for Government, and do not say what we wish." They were told that it would be impossible to allow all the districts to come in, and that, even if the Arachies were admitted, it would be difficult for the greater number of them to hear what was said, the crowd would be so great.

They said they did not object to the tax on their lands being raised, but they had an objection to anything in the shape of a Capitation Tax.

They complained that the owners in the adjoining estates had shot their buffaloes and pigs when they trespassed on the estates, and that in other cases they charged 10s. The superintendent of police stated that he had not heard of this complaint before, but would make inquiries, and endeavour to check any impropriety of this nature in future. The people were told to complain to the police if they had again the cattle shot.

They complained also of having to bury the dead buffaloes. This was during the murrain in 1843, when, for the health of the district, the villagers were required to bury the cattle. They were told that this was to save their own lives, and therefore they should not complain of it, but be made to do so again when called on.

The Mahawatta people complained that they had no place to bury their dead. The Ratta Mahatmeya was directed to select a good spot, and to report to the Agent.

They also asked that a piece of land might be set apart as pasturage for their cattle. The Agent directed the Ratta Mahatmeya to report on this after having inspected the piece of land they were desirous of obtaining.

In the evening, the person who had spread the report of the soldiers coming to Udoonewera was, by my orders, brought up to the Cutcherry, and the Deputy Queen's Advocate took down the deposition, and committed him to the gaol. It appears that the report originated in the village where the boy lives; in the same village, the vagrant Denis, who is going about collecting money, also resides, and it is probable that this was some scheme devised by his relations to assist him in his operations, which from all accounts must be extremely profitable to him. From a report I have now received, it seems he has a few days ago walked off with 5*l.* belonging to a priest, which had been collected by the priest to repair a temple. I hope before long he may be apprehended.

The Udoonewera people also came before me, a deputation from each village, and their complaints were chiefly against the Gun Tax, and Dog Tax, and the Road Tax. Against the two latter they expressed themselves very strongly. They also said they understood Government was going to impose several other taxes, but it was explained to them the mistake they had made in regard to this. They said they would petition against the taxes, and they were advised to give in any representation they might wish to make before Saturday, and the answer to the petition would be given by the Colonial Secretary at once. They urged Mr. Turnour's promise to them that no further taxes should be imposed, and went over much of the same objection that had been raised by the Doombura people, but in general they represented themselves as satisfied with the explanations they had received, and said they would send in the petition to the Colonial Secretary, but if they did not get a satisfactory answer on Saturday, they would send a proctor with a petition to the Queen.

In these two districts the excitement has been the greatest, but I have every reason to believe that it has been quite allayed by the conference that has taken place, and that the erroneous

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impressions they had received have been quite done away with, and that it will all subside in the petition that they intend to present on Saturday.

(Signed)

C. R. BULLER, Agent.

True Copies,

W. MORRIS, Acting Assistant Colonial Secretary.

Encl. 2 in No. 18.

Enclosure 2 in No. 18.

Government Agent's Office, Kandy,

July 6, 1848.

SIR,

I HAVE to report that most unexpectedly, and altogether without the knowledge of the Superintendent of Police, or of the chiefs, a number of people from Doombura, Hewahette, and other districts, assembled this day and represented that they wished to have a conference with me. I accordingly went out to them and met them at the Cutcherry, where finding them too clamorous and endeavouring to mob me, I was compelled to close the doors and adjourn to the Maligawa, with a view of addressing them from that. On reaching the Octagon I addressed them, but to no effect, as it was impossible to obtain a hearing. On my way to the Temple I despatched a message to the Police Magistrate, Commandant, and Deputy Queen's Advocate, requesting their attendance. They came, but the two former remained for a very short time. The Commandant, on retiring, remarked that this was no place for him, but that he should be at the head of his troops and ready when called on; and as matters began to assume a serious appearance, many of the crowd becoming excited from drink and endeavouring to excite the others, I considered it advisable to send for the District Judge, who promptly attended. Every mild measure that could be suggested to induce the people to disperse was attempted but failed. The police were then directed to exert themselves for that purpose, but the body was far too small to have any effect on the crowd by which they were surrounded, and it was soon perceptible that without the presence of the military all such attempts would not only be futile but tend to irritate the mob and make them mischievous. Every attempt to seize any of the ringleaders was met by the most determined resistance, and the crowd commenced arming themselves, by tearing off the smaller branches of the trees; and on one occasion the Acting Superintendent of Police was knocked down by a violent blow on the head, and one of the constables severely hurt. Under these circumstances, after consulting the other officials present, I sent a request to the Commandant for a company of the 15th Regiment, whose presence was sufficient to enable the police to clear the place. The object of the meeting, as far as I can ascertain, was to force from me a promise that the road, gun, and dog tax ordinances should be repealed. It is rather remarkable that none of the petty headmen were present; had this not been the case probably less difficulty would have been experienced in quieting the people and inducing them to return to their houses. The absence of the headmen and evidently concerted arrangements among the people leave no doubt in my mind that they are deeply implicated in this illegal demonstration. I have been given to understand that it is their intention to assemble again to-morrow in larger numbers. The crowd to-day is generally estimated at about 4000. I have intimated this to the Commandant, and requested him to take such measures as may seem to him necessary to aid the police in preventing the recurrence of such a turbulent meeting. I have also furnished the Superintendent of Police with a list to enable him to swear in a number of special constables. There is one peculiar feature which it is perhaps desirable to explain, viz., that the people altogether objected to being represented by their headmen, nor could they be induced to appoint any spokesman on their behalf. I have informed them that it is not in my power to cancel any Ordinance, as they appear to imagine; but that anything they may have to communicate to Government would be duly attended to by the Colonial Secretary on Saturday, provided it be made in a proper manner.

The Hon. the Colonial Secretary.

I have, &c.,
(Signed)

C. R. BULLER, Agent.

A true Copy,

W. MORRIS, Acting Assistant Colonial Secretary.

Encl. 3 in No. 18.

Enclosure 3 in No. 18.

MY LORD,

The Old Palace, Kandy, July 8, 1848.

THE express with your Excellency's letter overtook me last night at 8 o'clock, at Kaigalle, on the road here. I had intended to rest for the night and to reach Kandy this morning, in order to meet the chiefs; but on receipt of your communication I at once resumed my journey and arrived here at 2 o'clock, A.M., this morning. Finding that all had been quiet during yesterday, and that a large assemblage of people was expected to enter the town to-day to be present at my interview with their headmen, I issued notes before retiring to rest, requesting the resident magistrates to meet me at gun-fire this morning.

In compliance with this I had the attendance of the District Judge, the Deputy Queen's Advocate, the Police Magistrate, the Commissioner of Roads, and the Government Agent, and his assistant. Colonel Drought, the senior officer in command, was likewise present, and the Superintendent of Police was in attendance.

At this meeting the magistrates were unanimous in their opinion that the law should be

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No. 1.

enforced which forbids the entrance into the town of any persons bearing arms, and that messengers should be immediately despatched to the several entrances, and the ferries across the Mahavillayanya, to intimate this resolution to those approaching Kandy. At the same time a notice (of which a copy is enclosed) was translated into Cingalese and distributed, intimating to the people the readiness of the Government to listen to every representation and afford any explanation required, but desiring that their statements should be reduced to writing, or communicated in person by five or six individuals from each corle, by whom an immediate reply would be sent to their companions.

I have given instructions to the Superintendent of Police to see these orders carried into effect, and the military will be prepared to show themselves should it be found necessary; a contingency which I am reluctant to anticipate. It would of course be desirable to avoid a concourse even of unarmed men at my interview with the chiefs, as it would be impossible to have any satisfactory communication with so large a body, and I trust to be able, by the arrangements I have described, to allay excitement and see the matter pass off quietly.

Three of the chiefs attended the meeting of the magistrates, namely, the Dewa Nileme, and the brothers Dehegam, Rata Mahatmeya of Yattaneuna, and Helawette. The latter, I have some reason to believe, has been playing a double part in this affair, professing to support the Government and yet privately expressing sympathy with the disaffected. They stated, however, that the inhabitants of the districts under their charge respectively were peaceable and contented, and, with the exception of a few idlers, had taken no part in this demonstration, the individuals present at which came almost exclusively from Doombera and Harrispattoo. I explained to them the responsibility under which the chiefs and headmen stood to the Government, which naturally looked to them to communicate freely with the people, to keep them carefully informed as to all public acts which it was their duty to carry into execution, and by their example and influence to check excitement and to prevent demonstrations of this nature. They left me, after a long interview, to communicate with the other chiefs as they might arrive from the country, and professed anxiety to co-operate with them in the maintenance of order.

The information which I have been able to collect leaves no doubt on my own mind that the present excitement is to be ascribed to the ignorance of the people as to the scope and provisions of the late Ordinances, which had never been sufficiently explained to them, whilst their alarms and apprehensions had been excited by the most absurd rumours circulated by political agitators, and I have reason to fear by another class also, to whom I shall presently allude.

One circumstance which has been made use of to create an alarm is the collection of the recent returns for the Blue Book. These returns, as your Excellency is aware, have for years back been a fiction, one set being a mere transcript from those of a previous year without inquiry or alteration; and this year the unusual attention which has been given to their preparation, in consequence of your Excellency's orders, and the exertions made throughout the villages to collect the required statistics, especially those connected with agriculture, have naturally attracted the attention of the people, and been represented to them to be preliminary to an extensive imposition of new taxes. A list of 30 articles has been circulated on which it is asserted they are about to be levied; the list I have not seen, but I presume it contains merely the items in detail of which annual returns are required by the Secretary of State. As this misrepresentation was equally mischievous and easy of contradiction, I at once caused the Government Agent to issue a notice, copy of which is enclosed, to put an end to it; and it had the desired effect at an early period of the day.

The other party whom I suspect to have been engaged in promoting this agitation is the priests. From various quarters I have heard of their proceedings, and I am the more confirmed in their truth from reading two documents, copies of which are enclosed, which were sent on Thursday to the Government Agent by persons in the crowd. In these prominent place is given, as a ground of discontent, to the violation of the Convention of 1845, in relation to the maintenance of the Buddhist religion; to the withdrawal of the Government from all concern in its affairs; and to the rejection of the Temple Ordinance of 1845. It is likewise observable that the principal excitement manifested for the last few days has proceeded from the district of Doombera, in which the influence of the priesthood is strong, and which is the seat of their largest temples.

I have no reason to believe that the people who were assembled in Kandy yesterday came with any previous design to manifest violence of any kind; indeed they were unprovided with arms of any description: they came apparently to make a strong demonstration and protest against some apprehended injustice; and though much obstinacy was displayed by them as a body, this was attributable in a great degree to the impossibility of conveying to such a multitude any satisfactory explanation or composing assurance. Any excitement or violence which was exhibited was only on the part of a small section, evidently under the influence of intoxication. Some of these offenders, when arrested, exhibited the utmost alarm on recovering their senses, and were dismissed to their villages on payment of a fine, and furnishing securities for their good behaviour.

Ten o'clock.—The people are now coming into town in considerable numbers, but peaceably, and unarmed. The only violence they have shown was in seizing the boats at the ferries, and forcing their way across without paying the toll. The greater portion of those assembled are, as before, from Upper and Lower Doombera. Finding this to be the case, I sent for the Rata Mahatmeyas of each, and, on their avowal that they had failed to counteract the false impressions by which the people had been misled, or to induce them to remain quiet, I stated to them that, as the office they held implied such confidence in them on the part of the people

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as to incline them to listen to their advice and follow their guidance on such occasions, and such personal influence in their districts as would prevent scenes so improper as those now passing, it was obvious that they were either destitute of these qualifications or had failed to exert them; and in either case I felt it my duty to suspend them from their respective offices, to await the pleasure of your Excellency. This step I have now to communicate for your Lordship's sanction, and I must strongly recommend that they should on no account be reinstated, as they have equally forfeited the confidence of the Government Agent and the people. This measure, I consider, will have a salutary effect, by showing the chiefs that any disregard of their functions similar to that now exhibited will not pass unnoticed, and thus incite them to proper exertion to allay the present ferment.

I find a very general inclination on the part of the magistracy to ascribe the present movement, if not to the agency, at least to the connivance, of the head-men. Strong suspicions are expressed of their complicity in the proceedings of Thursday, as they are presumed to be not only dissatisfied with the imposition of new taxes, but displeased that, in the Road Ordinance, no line of distinction is drawn between their own rank and that of the great body of the people. Some of the chiefs, such as the Rata Mahatmayas of Wallapane, Kotmahie, Dolisbaga, Tumpane, Maturatta, and Yattenewera, have unquestionably done their duty zealously, as not a symptom of dissatisfaction has appeared, nor an individual from their district joined the present movement in Kandy. The others, in the vicinity of Kandy, are more or less under the suspicion, if not of creating discontent, at least of winking at the conduct of others in doing so.

Half-past four o'clock.—About half-past eleven the town was much crowded by the country people; some few, with knives and sticks, were stopped at the ferries, and, on being remonstrated with, went back without any resistance. The others, to the amount of 1500 or 2000, occupied the Esplanade and the principal streets. At one o'clock I went to the great hall of the Pavilion, accompanied by the magistrates, Colonel Drought, and some other officers. It was densely filled with the chiefs and their followers, and a large body of the people. I addressed them at considerable length on such points as I considered *apropos*, and likely to overcome prejudice and conciliate favour for the new Ordinances. If I may judge from the entire acquiescence of the meeting generally, and the nature of the observations made by one or two speakers, I think I may venture to say they all went away satisfied. I applauded highly those chiefs who had given proper support to the Government, and firmly, but guardedly, expressed the dissatisfaction certain to be excited by the opposite conduct of others. The meeting broke up in perfect order, and those who were present immediately dispersed over the Esplanade and through the streets, explaining to groups of eager listeners who had not been present at the Pavilion, the tenor of my remarks and the result of my expositions of the Ordinances. I gave some time for this process to go on, and then walked leisurely through the crowd, which had already begun to disperse in the most orderly manner. I was saluted by many, and from several received voluntary assurances of their satisfaction. I have reason to hope that the result of the day's proceedings will be found to have stimulated the chiefs to becoming exertion, as well as to have inspired the people with fresh confidence in the Government, and dispelled much of the matter which had previously disturbed their minds. The crowd has disappeared for some time, and the town is now perfectly quiet.

Six o'clock.—I have just had an interview with two of the chief priests of the Malwattes, and two of the Asgire establishments, attended by about a dozen of others. I told them that the Government had been informed that some of the younger priests had been engaged in inciting the recent commotion; that such proceedings on their part were unbecoming their position in relation to the Government, and incompatible with their expectation of protection from it, and I expressed a hope that they would discourage such attempts to the utmost of their power. They disclaimed such conduct on their own part, deprecated and disbelieved it on the part of their colleagues, and promised me to send immediately into the surrounding districts to apprise the priests of their duty to the Government, and to encourage them in every manner to exert their influence with the people in its support. They have just left me, after a long and satisfactory interview.

I have, &c.,

The Right Hon. His Excellency the Governor,
&c. &c. &c.

(Signed) J. EMERSON TENNENT.

No. 1.

By AUTHORITY of the GOVERNOR.

THE Government are desirous to afford every information to the people on the subject of the recent Ordinances, regarding which much misapprehension prevails. But the public are informed that men with arms in their hands will on no account be permitted to enter Kandy, and are liable to punishment if such an attempt be made in any instance.

Whatever representations the people have to make, the Colonial Secretary is now prepared to receive; and, if sent in writing, an immediate reply will be given. Or the Colonial Secretary will receive a deputation of five or six persons from each corle, to whom explanations will be afforded on any points on which they may desire it; but as any large concourse of people would defeat the intention of such an interview, besides being inconsistent with the

public peace, special constables have been sworn in, and every other precaution adopted to prevent their assembling.

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By Order,
(Signed) J. EMERSON TENNENT, Colonial Secretary.

Kandy, July 8, 1848.

No. 2.

Government Agent's Office,
Kandy, July 8, 1848.

WHEREAS a report has been circulated amongst the people, that the Agricultural Returns lately called for are for the purpose of exacting new taxes, and that additional taxes are intended to be imposed; I am authorized by the Colonial Secretary to state that the report is untrue, and that the returns in question are no more than those which have been annually sent home for many years past for the information of the Secretary of State, and that no new taxes are in contemplation beyond those recently enacted.

(Signed) C. R. BULLER, Agent.

Enclosure 4 in No. 18.

Encl. 4 in No. 18.

(Translation.)

The Humble PETITION of the Inhabitants of Dumberre addressed to his Excellency the Governor, and the Government Agent of the Central Province.

THE sentiments of the people of Dumberre and others of the island of Ceylon, as well of those who are assembled here this day, as of others who are not in this place, are embodied in the following petition.

1st. In 1815, we captured and surrendered to the British the person of our late king, because he oppressed us, and did us injustice, but we did not then do any injury to the English Government, but cheerfully submitted to it.

The English had attempted to conquer Kandy twice before, but were defeated with much loss of life, because the people were then well satisfied with the government of their king. But it appears that we are now made to suffer, from year to year, greater injustice, oppression, wrongs, losses, &c., than we had ever endured under the Singhalese Government, and we have reason to fear that still greater injustice will be inflicted upon us.

2nd. Heretofore we had patiently endured much injustice and other difficulties, but we have consoled ourselves with the belief that the Government would at length grant us relief, but instead of that, we deeply regret to find that our difficulties are every year more and more increased.

3rd. That the Government has altered the laws and customs in force at the British accession is evident from the following facts. Soon after the establishment of this Government we paid one-tenth of the produce of our paddy fields, according to an appraisement of the crop made every year. The Government next required us to pay a stipulated amount whether the lands were cultivated or not. We obeyed. We were then told to redeem our paddy lands, by paying 10 years' tax at once, by which we were given to understand, that we should be exempted from further tax. Many of us complied with this requirement.

4th. On certain occasions when the Government required it, we performed "Rajakaria service" to Government, but then the taxes on our lands were *pro tempore* remitted; we were also then required to work on the roads opened by Government, but it was on understanding that, as soon as that work was over, no service will be exacted from us. In 1834, some time after the trial of the late Modligodde Adigar and others for alleged high treason, a proclamation was published to the effect, "that the English Government wished the welfare of the Kandyan people, and that no labour would be exacted from them;" but then we ask, what we have done since that period, that the Government should not only retain all the former taxes on our fields, &c., but should also re-establish the Rajakaria system which had been once abolished, and impose three new taxes? We cannot understand what crime we have committed to deserve so great a punishment.

5th. Reasons why we cannot pay the newly-imposed taxes.

We have purchased guns at prices varying from 3*l.* to 4*l.* for the protection of those very crops on which a tax is levied by Government; the Government has imposed a tax on them, we do not know with what object, whether to prevent us from having or using them, to destroy our means of livelihood, or to subject us to losses, or with other motives. On account of the provisions of this Ordinance, we have been obliged to sell some of our guns at 6*d.* each, and we shall find extreme difficulty in protecting our crops without the use of fire-arms.

We pray then that the practice of renewing the licenses for guns every year may be abolished, but a license when once granted may be made permanent.

6th. We consider the Ordinance which requires us to pay a tax on our dogs a great disgrace to us.

We cannot afford to pay a tax on a thing of no value. We will not therefore take any license at all for our dogs.

7th. Even the poll-tax we cannot pay; many people find it difficult to pay the tax on the

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paddy fields, and are obliged to incur debts on this account, nay there are arrears due to Government from mere inability of the people to pay. This being the case, how is it possible that we could afford to pay more taxes? Gentlemen who receive large salaries from Government will of course be able to pay, as they cannot be in want of money, but as we do not receive money, we cannot afford to pay the same to Government.

8th. It is easy for the councils of Government to impose taxes, but they do not take into consideration our difficulties and hardships, because they have no feeling for us. Their object seems to be, in one way or other, to benefit the Government.

9th. These councils have established a police, from which we, the people, derive no benefit whatever. We suffer much evil, much losses from the appointment of proctors. And when the Government requires money for various things, they pass enactments every year, the tendency of which is to reduce us to poverty and want; but they never impose any burden upon gentlemen [meaning Europeans]: even if any enactment is passed having some tendency to benefit the people, that the Government soon finds a pretext to repeal.

10th. By these circumstances we are led to fear that the Government intends to make us poor and wretched. If it is not so, if the Government still wishes our welfare, still feels for the people, may it please the Government to abolish the new taxes, and afford us redress for other grievances we have mentioned.

July 6, 1848.

Encl. 5 in No. 18.

Enclosure 5 in No. 18.

(Translation.)

PETITION addressed to the Government Agent for the Central Province.

IN 1815, the people of Lanka voluntarily transferred the sovereignty of the kingdom of Kandy, to the King of England; and a solemn convention was then entered into between his Excellency the Governor, Sir Robert Brownrigg, acting on behalf of His Majesty King George III., and His Royal Highness George, Prince of Wales, Regent, on the one hand, and the Adigars, Dissaves, and others, on behalf of the Kandyan nation, on the other hand. We have seen with much regret some of the articles of this Convention violated of late by the English Government. By that Convention the English Government undertook the protection of the "Church and State" (Lōka, Sāsāney) of the Kandyan nation, but it has not only altogether abandoned "the church," but has begun to oppress the people by the imposition of unjust taxes, &c.

The Government first exacted a tax of one-tenth of the produce of our paddy fields when cultivated.

This tax was not extended to all the paddy fields whether cultivated or not.

Another tax was then imposed on high lands also when cultivated with grain.

Formerly, the Government charged only one copper chally as a toll on ferries; now they charge four.

We were formerly required to work on the Government roads, elephant kraals, &c., but the Government itself had abolished the Rajakaraya or forced labour.

The Government has now imposed a tax on our fire-arms at the rate of 3s. a gun every year. These guns are purchased by us for the protection of our lives and property.

We are also given to understand that a tax upon our dogs, and a poll-tax of 3s. per head, have already been determined upon, and that many more taxes are in contemplation.

We beg to submit our inability to pay these new taxes, and we pray that we may be required to pay only one-tenth of the produce of paddy fields when cultivated, but we will not pay, because we cannot, any other new taxes whatever, though it be at the expense of our lives.

We pray that this our prayer may be mercifully considered.

No. 19.

(No. 131.)

No. 19.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Answered Sept. 30, MY LORD,
1848, No. 292, p. 339.

Queen's House, Colombo,
July 12, 1848.

(Received August 26, 1848.)

* Page 135.

WITH reference to my Despatch, No. 126,* transmitted in the bag by yesterday's mail, I have the honour further to report, that according to the most recent account received from Kandy this morning tranquillity continued to prevail throughout all the Korles in which any excitement had been raised, and that the disposition of the people appears to be in all respects good since their false impressions regarding the Ordinances have been removed.

The interview of the several deputations of the people from the neighbourhood with the Colonial Secretary on Saturday last, the 8th, has been followed by the happiest results. Nothing could be more successful than the candid explanations offered to them of the errors into which they had been led by a

few discontented persons who had purposely misled the people, when it was their duty, as headmen in the service of Government, to have guided them aright.

I beg to enclose a correct copy of the more detailed report which I have now received of the proceedings at the meeting at the Pavilion, and of the address made to the people by Sir Emerson Tennent. I also forward a copy of the report of the Superintendent of Police (himself a native), of the reception met with by a party of 24 constables, who were sent out into one of the most excited districts subsequent to the meeting. It is in all respects satisfactory.

I have already caused five of the principal headmen to be dismissed, and it is my intention to make several changes among the inferior class of headmen who were wanting in their duty.

This will give me an advantageous opportunity of rewarding deserving individuals, by conferring upon them the appointments thus become vacant, which, although the emoluments are small, carry much weight and consideration with them in the eyes of the mass of the people.

I have, &c.,
The Right Hon. Earl Grey, (Signed) TORRINGTON.
&c. &c. &c.

Enclosure 1 in No. 19.

Encl. 1 in No. 19.

AUTHORIZED ACCOUNT of the MEETING at the PAVILION, at KANDY, on Saturday, July 8, 1848.

THE chiefs and headmen and people of the following Korles assembled in Kandy, on Saturday, 8th July, to meet the Honourable Sir J. Emerson Tennent, Colonial Secretary, viz. :—

Toompane.	Harispattoo.	Irobenalie.
Oodapalate.	Doombera.	Four Korles.
Oodanoowera.	Hewahette.	Seven Korles.
Yatinoowere.	Wallapane.	

The following Chiefs and Headmen attended :—

The Dewanileme, late 2nd Adigar.
Erawawale, Ratamahatmeya of Oodaneura and his Corales.
Deligame, Senior, Ratamahatmeya of Yatteneura and his Corales.
Gallegedere Dissamaike, Ratamahatmeya of Toompane and his Corales.
Wattaraneenna, Ratamahatmeya of Harrisipattoo and his Corales.

The Corales of Udagampaha in Lower Doombera.

Dehigam, Junior, Ratamahatmeya of Hewahette and his Corales.
Molligodde, Ratamahatmeya of Egode Tihe and his Corales.
Mahelle, Ratamahatmeya of Upper Bulatgamme and his Corales.
Wegodepulle, Ratamahatmeya of Matella South and his Corales.
Gallahelle, Ratamahatmeya of Matella North and his Corales.
Maningomolor, Ratamahatmeya of Matella East and his Corales.
The Ratamahatmeya of Kotmalie.
The Ratamahatmeya of Wallipane and his Corales.

Molligodde, Ratamahatmeya of the Four Corles, and the other Ratamahatmeya of that district, and of the Seven Corles, together with the following people from several districts but especially from Matelle, Doombera, Oodooneura and Hewahette.

The assembly being met in the Great Hall of the Royal Pavilion, the Colonial Secretary arrived, accompanied by the Government Agent of the province, the District Judge, the Assistant Agent, and principal civil authorities, together with Colonel Drought, 15th regiment commanding the troops, and other military officers.

The *Colonial Secretary* having asked for silence, stated to the assembly, that he came by order of his Excellency the Right Honourable the Governor, to hear what it was of which the people had to complain. The Government were well aware that their measures was so advantageous to the people that nothing but misconception or ignorance of their intentions could have led to the present excitement. The chiefs, who understood the late Ordinances, should have explained them fairly to the people, and he feared this had not been done, otherwise the people would not have left their peaceful industry to crowd into Kandy for information. That information, however, he, Sir J. Emerson Tennent, was now here by order of the Governor to afford, and he desired to know of what it was that the people had to complain?

A *Native* from Doombera said, that what the people was alarmed for was, that they had been told that the Government was making lists of all the cattle, and poultry, and crops, and vegetables, and these and all their dogs and guns were to be taxed.

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The *Colonial Secretary* assured them that that was entirely untrue. For many years past it had been the custom once every year to send lists of this kind to England, to show the growing wealth and improvement of the island; formerly they had been made out by guess and incorrectly. This year Lord Torrington had ordered them to be true and correct, and hence the inquiries that the chiefs had made regarding their numbers, but there was not the least intention to tax any of the articles they had alluded to, except the dogs. He begged this to be made known, and he asked now whether the people understood this, and were satisfied?

The *People*. We are.

The *Colonial Secretary* then said that they must have been misled on this matter by designing men and discontented people for their own purposes, as the Government had no such intention now and never had entertained such an idea.

As to the dogs, it was quite true that they were to be taxed; but this Ordinance differed from the others lately passed in this respect, that it was not the wish of the Government to derive any income from this source. Had they wished to do so their policy would be to increase the number of dogs, but it was quite the reverse, and the only object of the law was to reduce the number, which now amounted to a public nuisance, especially in towns and on the great roads, and the Government hoped that when the people knew that they must pay for the unnecessary number of dogs which they keep they would not rear so many, and that the public would cease to be annoyed by them. The Government wished to make no money by this law; it would be enforced in the towns and on the high roads till the nuisance was abated, and wherever in the villages and bye-roads there was no nuisance there the people would have no trouble.

With regard to the Gun Ordinance, Sir Emerson Tennent frankly told them the object of Government in passing it was two-fold; first, to reduce the number of guns in the hands of improper people; and secondly, to make persons, who kept guns for amusement, contribute something towards the revenue for the privilege of using them. By this law the Government were conferring a boon on the people by making it legal for them to keep guns. Heretofore no Kandian could keep a gun, or use fire-arms of any description. After the rebellion against the British Government, 30 years ago, a law was passed which rendered it a misdemeanour for any man to have a gun; it was a severe law, for it declared that every man who transgressed it, by keeping a gun, might be flogged by the Government Agent; and not only flogged, but imprisoned by him. This law continued till it was repealed by the present Ordinance. The present Governor, Lord Torrington, thought there was no occasion for such a law as that; and it had been passed 30 years ago, when the Government of that day were afraid that the Kandian people were disloyal. They were then afraid to trust them with a gun for fear they would use it against the Government. But now things were different, the Government had no fear of the people. Lord Torrington did not doubt the loyalty of the Kandians; he had no uneasiness at their having guns in their hands; he knew that the Kandians felt the blessing they enjoyed under a Government that had given them the protection of good laws, which had established courts of justice, opened their country by roads, encouraged cultivation, doubled the value of every man's fields, and established security for life and property. He, therefore, repealed the old and insulting law, and passed the present one to enable every respectable man to keep arms for his amusement, or the protection of his property from wild beasts. This was a privilege they had never before enjoyed; under the Kandian kings, as they well knew, no man dare kill an elephant even if it were destroying his crops, but now they may do so; under the British Government no man could legally shoot game under the old law, but can do so now under the new; and he, the Colonial Secretary, asked them whether they thought 2s. 6d. a-year too much for them to contribute towards the public revenue in return for such a privilege?

Goompane, Aratchy of Doombura, replied, that they did not think it too much to pay once, but they wished only to have one registration, to be free ever after; they could not afford to pay every year for keeping a gun.

The *Colonial Secretary* asked which they would prefer, the old law to keep no gun, or the new one to register them? The new one, to pay 2s. 6d. annually; or the old one, to be flogged for having fire-arms at all?

Goompane could make no reply to this.

The *Colonial Secretary* proceeded.—He had no reserve in telling him, that by granting licences for the guns, the Government, in addition to the policy of keeping them out of the hands of improper persons (to whom licences would be refused), was desirous to add to the revenue of the colony from this source; and the reason why the revenue required this assistance was that the Government had lately repealed other taxes which had operated injuriously on the trade of the natives in coffee and cinnamon. The cinnamon trade was depressed because it could not bear the export duty of 1s. a-pound, and the Government repealed it. The Kandyan people used to sell much native coffee from their gardens, and got 84s. a cwt., but now they could only get 28s., and the trade was sunk; but to assist it the Government had sacrificed more revenue, and repealed the export duty on it too. More than this, the Government had lowered the import duties on those articles which the natives themselves consume, their clothes, and their brass ware, and their iron ware, so that they may now buy everything cheaper, and sell everything better than before. But to make up the loss of revenue, and to enable the Government to carry on other costly improvements in the island, they required more money to spend amongst the people.

One grand object which they had in view was to open up every district by roads, roads to all the towns and ferries, and by roads to connect all the villages. By this means every man's land would rise in value. Before the Kandy road was made the Paddy fields at Kaduganawe

were but worth one-half what they sell for now. Before the road was made to Anarajapoor, the people there could not sell their rice for more than 6d. or 7d. a parrah, and they could scarcely get fish or salt to buy at any price, because the dealers could neither come to sell their fish nor to buy their rice; now they get from 2s. 6d. to 3s. a parrah for all the rice they can grow, and they get their salt and fish, and every other article, abundant and cheap; so that the effect of new roads is to double the value of land, to double the value of everything you have to sell, and to lower the cost of everything you have to buy.

This was the result which the Government wanted to see effected in every district of Ceylon where there are no roads; new roads would shortly be opened in all directions, and surely the people would cheerfully give a few days' labour to enrich themselves by this means.

Batawattegedere Cangany said, the people had not the time to spare to labour on the roads, nor the money to pay the commutation if they did not work.

Colonial Secretary.—You have two harvests in each year, the Maha and the Yalla?

Batawattegedere.—Yes.

Colonial Secretary.—How many days do you labour before and after each?

Batawattegedere.—About 30 days before each, and 15 days after.

Colonial Secretary.—So that out of 12 months you work but three. Surely, out of the other nine you can give six days to make roads for yourselves?

Batawattegedere.—The people have no money to pay 3s. when they are too busy to work.

Colonial Secretary.—But there are coffee estates in your neighbourhood where the men are employed in the picking season for a shilling a-day, and the women for something less, so that three days' labour will pay the tax; and be well assured of this, that not one shilling paid for this tax will be applied by the Government to any other purpose than to the improvements of the very district in which it is collected. So every man in reality will be working for himself; and this is not all; you will not be driven to work as in the times of the Raja Karia, under your own kings, or when compulsory labour was enacted under former governors; but every householder will have a vote, and you will elect your own district committee, who will regulate all the work to be done in making your own roads, and superintend the doing of it.

Nor are you to suppose that this is any poll-tax, or any degrading impost upon one rank from which another is exempt. No, every rank will equally work for the general improvement of the country, and every chief and every headman will be equally liable with every villager; and the Judges and the Government Agents, the Magistrates and himself, the Colonial Secretary, were equally prepared to unite with the people in enriching every district of the island.

He thought he was right in saying, that when these things came to be explained to them, they would not object to the Ordinances; but he feared they had not been explained to them by their chiefs and headmen.

Tickerie Banda Durraville stepped forward, and said it was so, and that the chiefs had not done their duty on this occasion; but he in his district had been speaking to the people.

Colonial Secretary.—I knew it; I knew that the chiefs must have been remiss in this respect, else I would not see the assemblage which is this day collected on the esplanade of Kandy. But on the part of the Governor, Sir, I have to thank you for what you have stated, and I feel assured that you will exert your influence to keep the people right, and to prevent their minds from being abused. This is what the Government expected from the chiefs. Their object was to select as chiefs men whom the people looked up to for their intelligence, and who could guide and direct them by their personal influence; and those who were either destitute of these qualifications, or who, possessing, failed to exert them, were wanting in their duty to the Government which appointed them, and whom they professed to serve.

Andrewcay, Ratte Mahatma of Wallepane, said, he had been amongst his people; he knew they were unnecessarily excited, and he went for information to the Assistant Agent; that he then returned to his people, and correctly informed them as to the views and intentions of the Government, and he was glad to say they were all satisfied and contented, and had not joined this movement, or come into Kandy, but had confidence in what he said, and remained at home.

Colonial Secretary.—Sir, you have done your duty, as became you, and I shall have great satisfaction in reporting it to the Governor; and I now wish to know whether there be any other explanation I can give, or any information I can impart? As I find there is not, I now beg to take my leave, and to request that those who have heard me will convey to those who have not, a faithful report of what I have said, and that you will assure them that the Government, so far from exacting taxes unnecessarily, desire nothing but the receipt of such a revenue from proper sources as will enable them to repeal all taxation that now presses heavily on their agriculture and on their trade; and to expend their income in such a manner as to secure the prosperity, the wealth, and the happiness of every inhabitant in Ceylon.

The meeting then broke up, and the chiefs and people going down to the Esplanade, joined the other Kandians, who were waiting for them there. They explained to them what they had heard from Sir Emerson Tennent, and the crowd dispersed, and by 5 o'clock they had all recrossed the ferries, and gone to their own villages.

CEYLON.

Enclosure 2 in No. 19.

July 10, 1848.

Encl. 2 in No. 19. DEAR SIR,

I HAVE to acquaint you that, according to the instructions received from the Honourable the Colonial Secretary yesterday, I and Mr. Jansen, my assistant, accompanied by 24 policemen, proceeded this morning to Dombera, and spoke to the people in the village there, who in reply said that they have no aversion towards the British Government; but as there was a report afloat that the taxes lately imposed would be modified if they would collectively represent their grievances to the authorities, they thought it proper to come and do so. But the late disturbance was created by some ignorant and obstinate people who were amongst them on the occasion, and for which the generality of people are now labouring under great sorrow and fear, more so owing to the assault committed on me at the time.

They also guaranteed that they would assist and protect the police; and the individual, by name Palamakumbura Basnaïke Nillama, an influential person, and others, said that they would see that no disturbance would in future take place at Dumbera, to which effect he (Basnaïke Nillama) has this day written to Mr. Buller.

I, after having sent Mr. Jansen and the 24 constables to Medemahaneuvera, in Upper Dumbera, to lie stationed there, I returned to Kandy; and as soon as any report is received from Mr. Jansen, I shall forward the same for your information. I shall use my utmost exertions to keep both the town and country in a state of tranquillity.

Sir E. Tennent has also instructed me to inform you with these matters.

W. D. Bernard, Esq. Colombo.

I am, &c.,
(Signed) D. L. BANDA.

No. 20.

(No. 141.)

No. 20.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo,
August 9, 1848.

(Received September 25, 1848.)

Answered, No. 303, MY LORD,
Oct. 24, page 339.

No. 126, July 9,
1848, page 135.
No. 131, July 12,
1848, page 144.

1. IN my Despatches transmitted by the last mail, and noted in the margin, I furnished to your Lordship a full account of the disturbances which had taken place at Kandy on the 6th ultimo, originating in the assembling of a large body of people in that town from the adjoining districts, with the ostensible object of presenting a petition against the enforcement of certain new Ordinances, but with the real purpose, as I have abundant reason to think, of endeavouring to intimidate the Government.

2. I proceeded to state that the measures adopted for the restoration of tranquillity had been entirely successful, and that I had no apprehension of any further disturbance elsewhere, or any renewal of the excitement at Kandy, with regard to the new Ordinances, as the misapprehensions of the people appeared to have been entirely removed. And further, with respect to the rumour which had reached me of the existence of another Malabar Pretender to the throne of Kandy, who was said to be endeavouring secretly to raise a party in his favour; I stated that I attached little importance to his movements, as rumours of the same description had, for many years, been from time to time revived, but had died away again without result.

3. It now becomes my duty candidly to acknowledge to your Lordship that, in both my anticipations, I have been greatly disappointed. A large assemblage of turbulent and threatening people were brought together near Colombo, on the 26th ultimo, who set at defiance, and in fact openly engaged the police, and were only prevented from committing further violence by the interposition of the military force. The Pretender to the throne of Kandy has boldly raised his standard in open rebellion in the Kandian districts; and although his followers have been on two occasions defeated, and to a great extent dispersed, and many of the rebel chiefs have been captured, while the severest measures have been adopted under martial law to put an end to the rebellion, the pretended king himself has not yet been captured, although his immediate attendants have nearly all deserted him, and with great difficulty he maintains his concealment in the mountains.

4. As the origin of these different movements and disturbances is, in reality, very complicated, and there is, I may say, little or no direct connexion between them beyond that of their simultaneousness, and the influence which all disturbances exercise in unsettling and keeping alive the excitement of the public mind, I propose to deal with them separately in my relation of them to your

Lordship; and with this view I shall confine myself in this Despatch to the consideration of the occurrences at Colombo, previous to the commencement of the rebellion at Kandy.

5. I shall hope to be able to present to your Lordship, in a clear and forcible light, the state of the public mind generally, apart from all other considerations, of the treasonable effort to re-establish the native authority at Kandy; and I think it will be in my power to prove, in the first instance, that efforts have been made by one or two turbulent Europeans, supported and assisted by many of the peculiar class of people called Burghers, to kindle dissatisfaction in the minds of the Singhalese natives, to make them believe that they are aggrieved, and above all to induce them, in various ways, to exhibit openly by complaints and by tumultuous meetings, an appearance of dissatisfaction, calculated and probably designed to augment the influence of the leaders of the movement.

6. I should be the last person to desire to throw any obstacle in the way of redress of real hardships or casual grievances; but I have, in the present instance, uniformly and firmly resisted these attempts to overawe the Government, and it will be highly satisfactory to your Lordship to learn, that in every instance in which there has been an opportunity of explaining the real nature of the new Ordinances to the people, and of disabusing their minds of the errors which had been purposely impressed upon them by their headmen (instigated by the parties to whom I have alluded), the people have invariably expressed their satisfaction, and have admitted that they had been deceived.

7. A reference to the narrative of a recent journey of the Colonial Secretary through a portion of the central and northern provinces, undertaken at my request, with the express object of explaining the Ordinances, and of disabusing the minds of the people, which is transmitted with my Despatch No. 142 by this mail, will suffice to assure your Lordship of this striking fact.

No. 142, Aug. 10,
page 159.

8. What is true with regard to the district visited by Sir Emerson Tennent is equally borne out in the maritime districts, except that inasmuch as more insidious means and more numerous agents have been employed (and still are to a great extent) to pervert the minds of the people, so does it require the utmost watchfulness and the most active discouragement on the part of Government to counteract these efforts. The unsettled state of the public mind throughout Europe has extended its influence, in some degree, to a few excitable spirits in this island; and I am persuaded that having to deal with a native population, ignorant and full of prejudices, yet disposed by nature and by custom to render obedience to authority, and paying respect to that authority (like all eastern nations) only when it is felt, any appearance of vacillation, or a show of anything but the most determined firmness at the present moment, would only loosen the bands of Government, and lead to disorder and to mischief everywhere without being productive of a single countervailing benefit.

9. I fear it may appear to your Lordship that I am disposed to put greater stress upon a comparatively trifling matter than the occasion merits, but I should be unable to place the subject before you in all its bearings, if I failed to make some allusion to the "Observer" newspaper published here. For some years it seems to have been the object of the proprietor of this paper to create or to nourish, on the part of the burgher community generally, a spirit of jealousy and uneasiness against the Government of the colony for the time being, and more or less against the European community at large. Such at any rate appears, in a great degree, to have been the tendency of his writings. I need scarcely remind your Lordship that, amongst others, by far the greater part of the proctors and many of the notaries belong to that class of the community.

10. But it is only within a recent period that any decided steps have been taken to spread dissatisfaction among the native population, particularly among the headmen, whose influence over the native Singhalese is very great. It would have been sufficient merely to allude to this subject in passing, but for the appearance in the "Observer" of the 3rd July, of a letter printed in Singhalese type, purporting to be a translation of an English letter, with certain comments of the editor in the same number of the paper. I enclose to your Lordship the paper itself, and I also forward a literal translation of the Singhalese letter, which has been made for me by one of the best Singhalese scholars (an Englishman) in the island.

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11. From this it will be gathered that, however calculated the original English letter might be to excite the minds of the people, the Singhalese version when presented to a Singhalese mind was likely to be even more prejudicial. Knowing also that it proceeded from the pen of a European, I have reason to believe they were the more disposed to be influenced by its expressions. In addition to the circulation of it in the newspaper, it was also printed separately upon slips of paper, and was distributed for the purpose of being read and explained to the natives in remote parts, which I understand has been in some instances done, with accompanying comments.

12. The disturbance at Kandy on the 6th, as described in my former Despatches, may have been only slightly and accidentally influenced by the publication of this letter three days previously; for circumstances have come to my knowledge since the breaking out of the rebellion, which induce me to think that the accident of the introduction of the Ordinances, and the purpose of bringing the people into Kandy for the ostensible object of making petitions, was made use of in reality to test the spirit of the Government, as well as to cloak the design of actual rebellion which was then on the point of bursting forth.

13. On the 15th July a petition was presented to me at Colombo, by a deputation composed principally of Moormen and Malabar traders of Colombo, headed by one or two wealthy Parsees, requesting that the operation of the Ordinance No. 5, of 1848, "For making provision for the registration and licensing of certain Traders," which came into operation on the 1st day of the month, might be suspended. Rumours had been brought to me for several days previously, that an attempt was about to be made by the wealthier shopkeepers to resist the working of this Ordinance, and that a combination was going on with a view to intimidate the minor class of dealers, and to occasion resistance to the law. The intention was to compel the people to shut up their shops, and to prevent the sale of rice and other necessary provisions. The threat of this proceeding enabled the wealthier rice-dealers to dispose of all their surplus stock before hand at increased prices; but the measures adopted by Government so far alarmed them as to the consequence of their proceeding, that the resistance terminated for the time in the presentation of the petition I have named, bearing the signatures not of the poorest but of the wealthiest shopkeepers in the Pettah of Colombo, to whom the payment of 1*l.* per annum was really not an object.

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14. I enclose to your Lordship a copy of the petition, and also of the reply which I directed to be made to it, and to which I beg to draw your Lordship's attention. I civilly declined to accede to the suspension of the Ordinance. Privately I gave directions to the Government Agent to exercise caution and indulgence with respect to the valuation of the rental of the smaller class of shops, so that the operation of the Ordinance might not fall heavily upon the minor tradesman.

15. In tracing the progress of events, it becomes my duty to mention to your Lordship that copies of petitions upon other matters were privately and somewhat secretly calculated, not only in the neighbourhood of Colombo, but in more remote parts; and signatures to them were solicited among the natives by the agents of parties in Colombo. A copy of one of these petitions was privately brought to me; full of exaggerations and mis-statements, calculated to inflame the minds of the natives. It was apparently addressed to the House of Commons; and as many of the expressions and assertions contained in it closely resembled the expressions afterwards used in a second letter, more cautiously written, and published under the signature of Mr. Elliott (of the "Observer"), I drew the inference that all these petitions were prepared and distributed under his instructions.

16. Numerous notices, written in Singhalese, were also distributed about the neighbourhood of Colombo, reminding the people, not only that certain new taxes had been imposed, but purposely misleading them to believe that many other new taxes were shortly to be introduced, and calling upon the inhabitants of all the neighbouring villages to assemble at a spot on the outskirts of Colombo on the morning of the 26th ultimo. I enclose a translation of one of these notices.

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17. Various reports were brought to me concerning the objects of the intended meeting. The leaders of the movement cautiously kept themselves out

of sight. By some it was doubted whether the meeting would take place at all; by others it was rumoured that the intention of the people was to enter the town in a very large and threatening body, and to demand to be allowed to enter the fort and speak to me at Queen's House. My own impression was, that nothing important would take place, and that the real object of these proceedings was literally to endeavour to intimidate the Government. In order that no reasonable precaution might be omitted, I addressed the enclosed letter to the Government Agent of the province two days before the expected meeting, directing him to intimate to all the headmen of the villages and pattoos, that they would be held responsible for the orderly behaviour of the people.

18. On the morning of the 25th, I directed the superintendent of police (Mr. Macartney) to take the necessary precautions to prevent any disturbance of the peace, should the people assemble outside the town on the following day, and to prevent them from entering the town in large bodies, and, above all, from entering the fort in numbers. Mr. Macartney's orders to the police are enclosed.

19. On the following morning, the 26th, the people began to pour in towards the town from the neighbourhood, and even from distant villages, and assembled at a spot called Borella (where several roads meet) very near the Wellicadde Gaol, about a mile from the entrance to the town. The enclosed report made to me by the superintendent of police, of the proceedings of the mob on that occasion, the attack upon the police, and the sudden appearance of Mr. Elliott in the midst of them, who ultimately used his influence successfully to quiet the disturbance, would, I think, be sufficient to convince your Lordship that the meeting was in reality principally called together through the influence of Mr. Elliott and his agents; Mr. Gibson, the Government Agent, Morris, the Assistant Colonial Secretary, and Mr. Morris, the civil engineer, were at an early hour upon the ground. They met the people as they were arriving, but were not even listened to; the mob showed an evident determination to force their way into the town, in spite of the police, who were stationed across the road; indeed, they went straight up to attack them, and a severe conflict took place in which Mr. Macartney and many of his men were severely injured.

20. A report of what was passing was hastily brought to me in the fort, and I lost no time in proceeding to the spot with the major-general, accompanied by a strong military force. I there found Mr. Elliott addressing the people, who were still much excited; but as all violence appeared to have ceased, and the people shortly afterwards began to disperse, I requested the major-general after some time to withdraw the troops.

21. The ostensible object of the meeting was to prepare a petition, and a good many signatures were obtained, before the crowd dispersed, to a paper previously ready for the occasion, which Mr. Elliott undertook to present. His evident wish was to make it appear that he was only an accidental mover in the scene; but I am fully persuaded that he was himself seriously alarmed at the time for the consequences that might ensue, and I saw enough of his influence among the persons who guided the people, to be convinced that he was in reality the mainspring of the whole machinery, although many inferior agents were also employed.

22. Various circumstances have led me to the conviction that the original object was to intimidate the Government, and create disturbance within the town itself. The reports from the police stationed within the town go to prove this fact. (Mr. Schokman's report to Mr. Macartney is enclosed.) The police were threatened in the pettah, and even assaulted: people were seen in crowds coming by the Hulfsdorp entrance, carrying a white flag, and shouting; many of the shops were shut, and the peaceable inhabitants intimidated. I cannot doubt, that had not the determination of the Government been firmly manifested early in the day, by the appearance of a strong body of military, a serious riot would have occurred, which could not have been quelled without bloodshed.

23. In the evening of the same day, Mr. Elliott came to me at Queen's House, and brought to me a petition, which he said he was deputed by the people to present to me. I understand that the greater part of the sheets of

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paper bearing signatures (said to be upwards of 2000) were appended to it at his own office, subsequently to the meeting. It is a striking fact, that his own name was not affixed to the petition, and that only the Singhalese version of it was presented; so that it was impossible for me to judge at the moment what the nature of the petition really was, further than that its prayer was stated to be for the suspension of certain Ordinances.

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24. I forward to your Lordship a literal translation of this strange document, and also a copy of the answer which I directed to be returned to it on the following day. Had I been aware that it concluded with the expression of a distinct determination not to obey the new laws (thereby holding out a threat to Government), I should at once declined to receive it, and should have held Mr. Elliott responsible for the presentation of such a document. But that individual has shielded himself under the plea, that as the petition was in Singhalese, he had only an imperfect and general knowledge of its contents, and that he had not even affixed his own name to it.

12.

25. I am happy to be able to inform your Lordship, that no disturbance whatever of the public tranquillity has since taken place in Colombo or its neighbourhood. But I have reason to believe that it was intended to hold a second meeting at Borella on or about the 30th ultimo; and the reports of the police induce me to believe that the original intention of entering the town in large bodies was to have been persevered in. I therefore directed a notice to be issued, prohibiting altogether the assembling of large bodies of people in the neighbourhood of Colombo. I also took steps to prevent the carrying out of any intention of this kind, by posting a strong body of police and military in the immediate neighbourhood where the meeting was to be held, so as to be in readiness to act if required. Nothing further has since occurred in this neighbourhood calculated to disturb the public tranquillity.

26. Although I have already extended this Despatch to, I fear, a wearisome length, it appears to me so important that the whole subject of which it treats should be presented to your Lordship at one view, that I do not hesitate to transmit to you other documents which likewise bear upon the subject. Mr. Elliott and his friends have still most assiduously made use of the "Observer" to endeavour to pervert the native mind. In his paper of the 3rd instant, a letter was published bearing his own signature, the object of which was to induce the people to sign petitions to Parliament for a Representative Assembly in Ceylon—the last of all places in the world to which it could be made applicable. I am given to understand that he has had legal advice in the preparation of that second letter, for it is drawn up with tact and caution. But it has been translated into Singhalese, and widely circulated on separate slips of paper, in order to excite the people—the Singhalese version being, as usual, more exciting than the original. At the same time, petitions have been sent out for signature, accompanied by letters requesting that means may be used to procure signatures, which, I am happy to say, have been in many instances unsuccessful.

13.

27. In order to prove to your Lordship, from native testimony, that the people are not really dissatisfied with the new Ordinances, and to show what efforts have been used to make them so, I transmit, for your perusal, the translation of a Singhalese letter addressed to one of the highest native officers of Government in Colombo, * * * *

* *—a district in which it was thought disturbances would be very likely to occur. They distinctly state that the people are not dissatisfied, but that petitions are sent to them by Mr. Elliott, and that various means are studiously used to pervert their minds and mislead their understandings.

28. In conclusion, I have only to assure your Lordship that, while I shall be ever ready to support the authority of Government, and cause the supremacy of the law to be maintained, I shall be equally ready to listen to the well-founded complaints of the people, and to rectify any real hardships that may exist. But I shall feel it my duty to resist to the utmost these insidious attempts to pervert the native mind, and produce confusion and mischief throughout the country. I shall repel, with the most vigorous determination, all the efforts of the burgher community (a class which I am not aware are to be found elsewhere) to make use of the native Singhalese inhabitants to promote their own selfish purposes; and I shall feel it my duty to throw around the

CEYLON.

I have, &c.,
(Signed) **TORRINGTON.**

Encl. 1 in No. 20.

LITERAL TRANSLATION of the SINGHALESE LETTER in the "Observer" of the 3rd July, 1848,
concerning the matter of the New Taxes.

In order to show the wrongs inflicted on the inhabitants of this country, and the justice which they should receive, we translate this letter into Singhalese, and publish it.

No. 2.

"GENTLEMEN,

“ Many persons are displeased on account of the taxes* collected from the people of England, and it is not proper to impose such taxes unless the Government be very poor; however, we cannot say that it is altogether unjust, since they are collected according to the circumstances of the rich and the poor. In England they are not collected from hundreds of thousands (lacs) of workmen and the poor. They collect 7*d.* on each *l.* of the yearly income of the rich only, but according to the taxes lately appointed in Ceylon, the poorest men will have to pay the new tax of 3*s.* in *l.* ”

* By this tax we mean a portion of the annual income of the English people paid to Government.

CEYLON.

padre (clergyman) receiving 700*l.* a-year, must pay 116*l.*, and a little more; an agent receiving 1000*l.*, must pay 166*l.*, and a little more. The gentleman, Emerson Tennent, Great Secretary must pay about 500*l.*, and the Governor 1500*l.*

"Some may say that 7*s.* or 8*s.* are not sufficient to maintain a single man for two months, but I know very well that to the poor people in the Galle and Jaffna districts this sum is quite sufficient for two months. Very well; let us say that 7*s.* or 8*s.* are sufficient for the expense of one month, yet, according to this, what a great and unbearable sum goes to the Government yearly.

"What European is there who submits to this payment? Even when there is a war rumour, or when the Government is heavily poor, no European will submit to such an unjust payment. But these taxes are imposed at a time when not only is there peace, but when the people should be relieved as much as possible from other heavy taxes paid to Government. What, then, is the intention of the Governor, since he lays such a heavy burthen upon the poor, and delivers the rich from it?

"The saying that the collection of this tax is imposed by the unanimous vote of the Legislative and Executive Councils of this island is not a true saying. The Government is trying to make even those gentlemen of the Legislative Council not belonging to Government to agree to anything that is done; those gentlemen of that Council who are under Government cannot oppose Government on account of this. Though there is a saying that this matter is sanctioned (appointed) by the Council, it is not a true saying. The Government of Ceylon is doing injustice, like the Government of Russia. I see no difference between these two Governments except in name. It is now understood and acted upon by the people of many countries in the world, that when people pay taxes to a Government, they must consider whether it is a tax that can be borne by the people, and that they must have the privilege of expressing their opinion to Government, and also whether the money raised by the tax is vainly spent, or whether it is spent to the advantage of the people. Not long ago millions of the people received this right; some Singhalese people who understood things right to be done, expected that they would receive a part of this right; but according to circumstances, it now appears that in proportion as other races are delivered from injustice, more and more injustice is coming upon the inhabitants of this country. Now I say, is it proper that the Singhalese people should submit to such severe injustice? Will they be so? it is altogether improper to submit. I hope they will not sit so. I think the Singhalese people will show that they are not a race of slaves, without doing (not doing) such severe things as Europeans lately did in order to be delivered from injustice. Justice will be done to them if the reasons against injustice are rightly expressed by petitions to the great Legislative Council called the Parliament of England. I think the Singhalese people know this, and I have no doubt they will believe it. Petitions should be written, and sent to different districts of the island, and signed by all collectively. Let all the inhabitants of Ceylon demand of the English Government to be delivered from injustice, and to have justice done.

"Gentlemen who print newspapers, I request you will publish to the Singhalese under the payment of taxes like a burthen, that the Government is doing injustice, and that you will inform the people of high office that injustice, as a devil (or the demon of injustice) driven from the place where he formerly was, will not be permitted to come and live in this island. If you do so, the Singhalese people are not an ungrateful race.

"I am,
"AN ENGLISHMAN."

True copy of the translation,
W. W. BERNARD.

Encl. 3 in No. 20.

Enclosure 3 in No. 20.

To the Right Honourable Lord Viscount Torrington, the Governor, and to the Members of the Legislative Council of this Island.

The Humble Memorial of the undersigned Inhabitants of the Town of Colombo,
SHOWETH—

THAT they beg leave to represent to you the extreme hardship which they are compelled to undergo with respect to the new system of taxation which the Government have of late imposed upon the people. In addition to the former taxes, which, independently of any others, they were accustomed to deem enormous enough, they are now compelled to pay a tax upon their guns, upon their dogs, and, lastly, upon their shops and boutiques. It is well known to the Government Agent that, in consequence of the poverty of some, he is obliged to drag away the last remnants of a poor man's furniture, in order to satisfy the claim of the Government. Now that the tax upon shops and boutiques has come into operation, and in the apprehension of the Poll Tax, which it is intended to impose upon the people hereafter, they feel themselves utterly at a loss to satisfy the Government, however strong their inclination may be so to do.

Under these circumstances, the memorialists beg of you to reconsider the matter; and that the operation of the Ordinance be stayed for the present, and for such other relief, the petitioners shall ever pray.

Signed in native characters.

True Copy of translation,
W. W. BERNARD.

CEYLON.

Enclosure 4 in No. 20.

Encl. 4 in No. 20.

Answer of his Excellency the GOVERNOR to a Petition from the Traders of Colombo.

HIS Excellency the Governor having taken into consideration the petition presented to him at Queen's House by a deputation of the traders of Colombo on Saturday the 15th instant, has been pleased to direct that the following answer be returned to the parties who signed that petition.

The object of the Ordinance No. 5 of the present year was to obtain from the established traders of the larger towns of Colombo, Galle, and Kandy, the contribution of such a moderate sum annually as the profits of their business appeared likely to enable them to pay without any hardship or injustice. It is well known to all the petitioners that a profitable business is carried on by a numerous class of store and boutique keepers, who contribute little or nothing towards the public resources either for purposes of local improvement or for the general objects of Government. It is true that the Assessment Tax on houses is levied directly upon the annual value of all the houses in certain towns for purposes of police, &c., whether those houses are occupied by private individuals or by merchants and traders; but the object of the present Ordinance is to levy a certain fixed sum of moderate amount upon all those trades which are carried on with profit and advantage by parties who contribute in other respects little to the public burthens. This sum has been fixed at 1*l.* a-year, because it is well known that the traders in general are able to pay it, and a great many of the petitioners could well afford even to pay much more out of the profits of their businesses; it is, in fact, equivalent to the addition of 1*l.* a-year to the rental of their shops. And in order to prevent unnecessary hardship being felt by the smaller class of dealers, whose profits are trifling, the Government has exempted from the payment of it all those traders who occupy, for the purposes of their business, shops or boutiques of a smaller yearly value or rental than 5*l.*

It was far from being the object of the Governor and Council that the Ordinance should press hardly upon the smaller class of dealers and traders; and as in the operation of every Ordinance particular cases must arise which call for special consideration and leniency, so with respect to this Ordinance also his Excellency is assured that the Government Agent will inquire into, and treat with moderation and fairness, all cases of this kind which may arise.

HIS Excellency has remarked that the draft of the Ordinance was long before the public previous to its adoption by the Council, and that ample opportunity was given to the traders to make known to the Government any well-founded objections to it before it was brought into operation.

HIS Excellency is unable to perceive any sufficient grounds for suspending the operation of this Ordinance, and is rather disposed to believe that the benefits to be derived from it will ultimately be felt by most of those who are now averse to it at its first introduction.

HIS Excellency will, at all times, feel pleasure in listening to any representations properly addressed to him on the part of the people, but regrets that, in this instance, it is out of his power to accede to the prayer of the petitioners.

By his Excellency's command,
(Signed) W. MORRIS, Acting Assistant Colonial Secretary.

Colombo, July 17, 1848.

Enclosure 5 in No. 20.

Encl. 5 in No. 20,

(Literal Translation.)

NOTICE.

HIS Excellency the Governor has, for the present, enacted several taxes to be levied from the inhabitants of this island, viz. :—

Upon fire-arms, dogs, men, boats, and boutiques.

And, in addition to this, it is also enacted to levy, in a few months more, a tax upon trees, lands, cattle, and all useful quadrupeds.

We, the inhabitants of several villages, have consulted and agreed upon to present a petition about the matter.

It is therefore kindly requested, that the inhabitants (both great and small) of all the villages will assemble at seven o'clock on the morning of Wednesday the 26th instant, prepared for the same.

Enclosure 6 in No. 20.

Encl. 6 in No. 20.

SIR,

Colombo, 24th July, 1848.

INFORMATION having been received by his Excellency the Governor that a large number of inhabitants of the corles and pattoos in the neighbourhood have it in contemplation to assemble at Colombo on the 26th instant, under pretence of petitioning the Governor on the subject of the recent legislative enactments, and as it is possible that such assemblage may lead to breaches of the peace, I am directed by his Excellency to request that you will intimate to the headmen of the corles, pattoos, and villages, that he will hold them responsible for the conduct of the people over whom they preside; his Excellency being satisfied that, were they possessed of proper influence, and had exerted it to explain away any misconceptions on the

X 2

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part of the inhabitants as to the intention of Government in legislating for them, and at the same time endeavoured to prevent the circulation of false reports, the people would not have been under any misapprehension as to the nature of the Ordinances, and consequently such a demonstration as that now contemplated would never have been devised.

I have, &c.,

(Signed) W. MORRIS, Acting Assistant Colonial Secretary.
The Government Agent, Colombo.

Encl. 7 in No. 20.

Enclosure 7 in No. 20.

SIR,

Colpetty, July 25, 1848.

You will be pleased to order two inspectors and 40 men to me to-morrow morning at 6 o'clock at Wale Kadie, let five be in native dress; you will remain in Pettah Station with 20 men ready to turn out at a moment's notice should circumstances require it. Place three steady men at each of the entrances into the fort, not to let any person pass in except those on their lawful business; they will receive every assistance from the military guard they may require. Send ten men to the Bridge of Boats, and should there be any appearance of a mob coming into town, let it be forthwith communicated to the Pettah Station, when you will take means to prevent their entering, and give the earliest intimation to me and the authorities in the fort. Have men placed in native dress through the town to collect all the information they can, and let them report personally every hour at the Pettah Station; also let them remark particularly those that take a leading part in the proceedings. Have all the force available for duty, and see that all orders are properly explained to the men and clearly understood by them. Should the assemblage be disposed to persevere in entering the fort, have it distinctly understood that his Excellency will receive any petition that is properly presented, but that he will not allow a mob to enter the town under any circumstances; and I am satisfied, if this is properly explained to the people, they will not persist in a course that must prove disastrous to themselves.

I am, &c.,

(Signed) WM. MACARTNEY,
Superintendent of Police.

Mr. De la Harpe, Assistant Superintendent of Police.

Encl. 8 in No. 20.

Enclosure 8 in No. 20.

Police Office, Colombo, 5 o'clock, P.M.,
July 26, 1848.

MY LORD,

IN compliance with your Excellency's directions, I have the honour to state, that I have taken every precaution in my power to preserve the peace of this town, which was likely to be disturbed in consequence of large bodies of people being called together, by notice, to proceed in a multitude to your Excellency (as was stated) for the purpose of presenting a petition. I beg to attach a copy of the orders I issued last night to the police force under my command, and trust the arrangements I have made may meet your Lordship's approval. At 6 o'clock this morning I met the force at Mr. Norris's, Wellicadde, which consisted of two inspectors and 40 men, and was soon after joined by Mr. Morris, Assistant Colonial Secretary, and Mr. Gibson, Government Agent, who having heard that a number of persons had assembled at Cottah Bridge, proceeded to meet them; they shortly after returned and informed me that about 700 men were coming up to us, and that Mr. Gibson meant to address them, and as he stated many of them were drunk and disorderly, I drew up my men in line at a short distance from where Mr. Gibson was; this was about 11 o'clock. Immediately, on the mob coming in, they marched down to my men, and endeavoured to force through their ranks. I was instantly struck, and a simultaneous attack made on my men; we succeeded in beating back the assailants a short distance, but their numbers being so great and my men having become scattered, we were unable to maintain our ground, and I had much difficulty in getting them together again, some of them having been carried off by the mob; but after some hard fighting, we succeeded in retaking them. We all received many severe blows, and I beg to submit to your Excellency's notice the names of those men whose conduct on the occasion merits attention. I have also to state that Mr. Morris,* Mr. Gibson,† and Mr. Norris,‡ at much personal risk, mixed with the people, and by their influence and assistance, aided by many native headmen, burchers and natives, saved us from being severely injured.

Shortly after the conflict ended, Dr. Elliott, editor of the "Observer" newspaper, arrived, and immediately, on his raising his hand and calling on the people, all became still, and the mob, from using the most fearful imprecations and yelling, flocked round him, and were perfectly silent. He then addressed them at considerable length, and they listened with much attention until your Excellency arrived with troops. Some time after they dispersed, and all is now tranquil.

I beg to attach reports I have received of what occurred in the town during our absence,

* Acting Assistant Colonial Secretary.

† Government Agent, Colombo.

‡ Civil Engineer.

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which clearly shows the riotous intention of the whole party, and had not the necessary precaution been observed, I feel convinced the result would have been most serious. I found that six men were taken into custody in the Pettah, who were disturbing the town, but as your Excellency was anxious to deal leniently with them, I have discharged them, first taking their names and places of residence, and Dr. Elliott becoming answerable for their good behaviour and appearance whenever they may be required.

I fear that emissaries are working amongst the people, urging them to make public demonstrations, and large numbers are made drunk before brought to the place of meeting; and from what I have this day experienced, I have no hesitation in stating, that if such meetings are allowed to continue, they will lead to disastrous results.

I have, &c.,
(Signed) W.M. MACARTNEY,
Superintendent of Police.

To his Excellency the Right Hon. Lord Viscount Torrington,
Governor of Ceylon,
&c. &c. &c.

Enclosure 9 in No. 20.

Encl. 9 in No. 20.

SIR,

Police Office, Colombo, July 26, 1848.

I BEG leave to report to you, that about 11 o'clock this morning it was reported to me that the serjeants and constables stationed at Grandpass, having seen a large mob coming from the Bridge of Boats, requested them in a mild manner not to rush through in such a number, when one of the gang desired the rest to assault the police, and take their course through them; upon this the man who gave the order was taken into custody, when the rest of the assemblage dispersed.

At about half-past 2, P.M., the serjeant at Kayman's Gate, having seen a crowd of people coming towards Pettah through Hulfsdorp carrying a white flag, and crying out "Hurra!" he approached near, and requested them not to enter the town in such a mob and make a noise in the street, but to return quietly to their houses without disturbing the public peace, (as the shops, botiques, and other dwelling-houses were shut up at this time), but they having persisted to do so, and walk on in all directions they pleased, the principal leader (as appeared by the mob) was seized and was taken towards the station, when the whole of the mob, consisting of the villagers and others exceeding 200 men, chased after him as far as the third Cross-street, and there four of the gang attempted by force to rescue the man taken into custody, when he having received immediate assistance from myself and a few men who were in the station, as well as from Mr. John Rabot and Frank Schubert, secured the man taken into custody, as also the other four men above alluded to, and brought them to the station-house; soon after this a body of men were coming up to the station, speaking on their way that they must take away the men in custody by force; but after they arrived opposite the station they were desired by me to keep themselves quiet and keep off the crowd from near the station until the arrival of the Superintendent of Police, when everything could be settled; upon this a part of the crowd dispersed, while the other part remained until your arrival.

I am, &c.,
(Signed) J. W. SCHOKMAN.

W. Macartney, Esq., Superintendent of Police.

Enclosure 10 in No. 20.

Encl. 10 in No. 20.

LITERAL TRANSLATION of a Petition addressed to his Excellency the Governor, Representative of Her Majesty the Queen of England, by the undersigned Inhabitants of Ceylon, who are assembled in this place.

FROM the Dutch time up to the present proper taxes were levied on the people. But we, the poor inhabitants, are much alarmed and fear, like that which a man feels at approaching death, has seized upon us on account of the new taxes recently imposed on us by your Excellency, since the Ordinances imposing these taxes on us have been promulgated amongst us by the different headmen of Corles and Pattoos.

There were formerly two Governors, by name Sir Robert Brownrigg and Sir Edward Barnes, who did us much good in times of famines, &c., and levied such taxes on the people as could be borne by them.

In those times there was a king in Kandy for the up-country people, who, when he oppressed the people by all sorts of injustice, was taken and given up to the English Government, in which the low-country people heartily joined the up-country people.

Moreover, we have before petitioned your Excellency, representing to you our extreme poverty and inability to pay these taxes, but have not been favoured with a reply.

We have learnt from European gentlemen that such heavy taxes are laid on the people in England only in great state emergencies and in times of war, and that, too, from rich people, and those who are in the receipt of pay. We have also heard that in France and in the countries of the Tamils people would never submit to such taxation.

Some people in this country have not for their subsistence more than a-half or one-third of a cocoa-nut tree, or ground to the extent of a seer of paddy sowing.

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Some people maintain themselves by carrying burdens and by agriculture, but what they earn by these means is barely sufficient to meet the demands of life. These facts can be ascertained if inquiry be made from the headmen and from the courts of justice.

These orders of your Excellency to pay new taxes have been promulgated amongst us by the headmen.

But we pray, merciful Lord, that your Excellency may be pleased to take our extreme poverty into consideration, and relieve us from these new taxes.

But if your Excellency will not mercifully give us a favourable reply, we certainly will not obey any of these new laws.

Presented by C. Elliott, Esq., at Queen's House, together with a number of sheets of paper bearing signatures, but Mr. Elliott's signature was not among them.

True copy of the original translation from the Singhalese,

W. W. BERNARD.

Encl. 11 in No. 20.

Enclosure 11 in No. 20.

His Excellency the Right Hon. the Governor is pleased to direct that the following letter addressed to C. Elliott, Esq., in reply to a petition presented by him to his Excellency from certain native inhabitants of Ceylon, be published for general information.

By his Excellency's Command,

W. MORRIS,

Acting Assistant Colonial Secretary.

Colonial Secretary's Office,
Colombo, July 27, 1848.

Colonial Secretary's Office,
Colombo, July 27, 1848.

SIR,

I AM directed by his Excellency to acknowledge the receipt of the petition presented by you to him yesterday, and purporting to be signed by a numerous body of natives, praying that certain Ordinances, passed during the last session of the Legislative Council may not be enforced, inasmuch as the people are poor and unable to pay the taxes imposed by them.

His Excellency directs me to inform you, that he can perceive no sound or just grounds put forward for the remission of those taxes, which are in lieu of others that pressed heavily and unduly on the people, and were a hindrance to the growing prosperity of the colony.

His Excellency likewise desires me to intimate to you, that whilst he is most ready and willing to listen to any just and reasonable complaints, and which it would be his duty to redress, he regrets to have observed that reports were lately circulated through the country calculated to mislead and disturb the minds of a people hitherto quiet and orderly, by misrepresenting the views, the wishes, and the intentions of Government.

The measures passed unanimously by the Legislative Council have been well and fully considered, and wherever they have been properly explained to the people they have been received with satisfaction. I am further commanded by his Excellency to state, that whilst he cannot accede to the prayer of the petitioners he trusts and believes that the assistance of the respectable and well disposed persons in the colony will be exerted, not only to put aside the mistaken reports that have gone about the country, but to point out to the people that Government, in all its acts, has an ardent desire for their prosperity and welfare.

I am further directed to inform you, that the language contained in the concluding paragraph of the petition is of so reprehensible and criminal a nature, that but for the conviction that some of those who were induced to sign it were entirely ignorant of its purport, his Lordship would have declined receiving or entering into the matter contained in the petition.

I have, &c.,

W. MORRIS,

Acting Assistant Colonial Secretary.

C. Elliott, Esq.

Encl. 12 in No. 20.

Enclosure 12 in No. 20.

NOTICE.

INFORMATION having been received that the inhabitants of the interior, and of some of the Korles in the neighbourhood of Colombo, are under the advice and encouragement of ill-disposed persons assembling in large numbers, under pretence of presenting petitions to the Governor:—Notice is hereby given that his Excellency the Governor, although willing at all times to receive and consider petitions from any of the inhabitants, if presented in a proper manner, will not allow large assemblages of the people for this purpose, and he will take strong measures to prevent meetings of this nature, which can tend only to cause breaches of the peace.

By his Excellency's Command,

(Signed)

W. MORRIS,

Acting Assistant Colonial Secretary.

Colonial Secretary's Office,
Colombo, July 28, 1848.
W. W. B.

Enclosure 13 in No. 20.

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Encl. 13 in No. 20.

TRANSLATION of a SINGHALESE LETTER addressed to the Maha Meelias.

The people of Saffragam have been acquainted with the disturbances at Kandy, Owah, Seven Korles, Matelle, Colombo, &c., about the new taxes, by means of the newspapers, and the accounts given by persons returning from those places.

The people here have no objection whatever against the gun tax; already about three-fourth of the guns in this district have been registered, the remainder are in the course of being done so; but for the delay in registering all the guns in Saffragam would have been registered by this time. Some foolish inhabitants of Saffragam (about one-half) were much dissatisfied with the road tax, and were grumbling at it, when the intelligence came that people in other parts of the island, such as Colombo, Kandy, Croah, Seven Corles, &c. &c., were complaining against them, and were refusing to pay the same, and a petition was received here from a gentleman in Colombo for the signatures of the people against the new taxes, and which petition was to be sent to England. People who came to the Cutcherry to register their guns, and others frequenting the Courts, &c., were requested to sign this; but we having heard of this, put a stop to it. The petition referred to was sent to Mr. G. A. Vanheyk, of Ratnapoora, to collect signatures.

Besides, the publications in the "Observer" newspaper are communicated to the people with exaggerations by the officers in the Cutcherry and Court, and by these means the ignorant people in Saffragam are excited and dissatisfied. We endeavour to impress upon the minds of the people a proper sense of the benefits received by them from the English Government, and that the Government always seeks the welfare of the people in general. But it is very difficult to persuade some of the ignorant people notwithstanding our best efforts. The principal reason why we cannot satisfy the people is the existence of the "Observer" newspaper. For, if these are mere idle reports among the people, we can tell them these reports are false, that the people ought not to disturb their minds, &c.; but as soon as Dr. Elliott's newspaper is received here the contents are instantly communicated to the people, with a great deal of exaggerations and additions, by the officers of the Cutcherry and the Court, and the minds of the ignorant Singhalese people are thus disturbed and deluded. They say such and such a despatch is received in the Cutcherry, &c., and magnify a little thing into a very great affair. But we endeavour to prevent any disturbances in Saffragam, and to keep the people quiet. The people of Saffragam have always been more loyal to the noble English Government than the people of any other Dessavonies and Rattes. As the people of Saffragam captured the Singhalese king, the people of Owah, Wellasse, Bintenne, Wallapanne, &c. hate them. The Ordinances of Government are enacted for the benefit of all the people, and when they are properly understood no person can complain of or be dissatisfied with them. Again, is it not a very great act of kindness on the part of the Government that so much money is spent in the administration of justice in criminal matter by the Supreme Court, and in vaccinating the people?

But we think that Dr. Elliott's newspaper is the principal cause in producing these commotions in the country. It will therefore be a very good thing if this paper could be suppressed. Mr. Vanheyk has given it to be understood that the petition which he circulated for signature in Saffragam was sent to him by Dr. Elliott. If the Government does not like to suppress the paper, at least the officers in the Courts and Cutcherries should be required not to divulge its contents to the people.

But notwithstanding all this the people of Saffragam are still most loyal to the English Government, and you can assure the Hon. the Colonial Secretary that it shall be our endeavour to maintain and cherish this spirit of loyalty by all means in our power. Let not the Government doubt of our loyalty. Indeed the people of many of the other Rattes hate us for our well-known adherence to the English Government. These are sentiments of the people of Saffragam and Ratnapoora. This is the exact truth.

July 31, 1848.

(A true copy.)

W. W. BERNARD.

(No. 142.)

No. 21.

No. 21.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo,
August 10, 1848.

MY LORD,

(Received September 25, 1848.)

Answered Oct. 24,
1848, No. 303, p.
339.

1. SOME days before the departure of the last mail, Sir Emerson Tennent undertook, at my request, to make a journey of two or three weeks through some of the less frequented parts of the interior, with the object of ascertaining the real feeling of the people generally, and of listening to their complaints, if

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No. 126, July 9.
No. 131, July 12.

they had any important ones to urge, or of profiting by their suggestions, if they had any useful ones to make for the improvement of their districts.

2. As before remarked in my Despatches, noted in the margin, he arrived in Kandy just in time to take an active part in pacifying the minds of the people, subsequently to the riotous meetings which took place upon the 6th ultimo; and having successfully disabused them of many of the errors and prejudices with which they had been imbued, he proceeded to the northward through the district of Matelle, then passed through Dambool, an important station on the high road to Trincomalie, and assembled the villagers far and near, in order that they might listen to the explanations he had to give, and might themselves be heard with regard to any complaints they had to make.

3. He extended his journey to the eastward as far as Minery (where are the ruins of one of the most important ancient tanks), and the people flocked around him from all directions, both to do him honour and to welcome his presence amongst them, as well as to have their minds instructed as to the real objects of the Government.

4. He proceeded as far north as Anaradjapoorra, the site of the ancient capital of Ceylon, thence to the eastward to Aripoo, returning by the coast to Colombo just in time to render me assistance in the present difficult crisis of our affairs, the worst part of which has now, I trust, happily passed over.

5. I have now the honour to forward to your Lordship the accompanying narrative of his journey, which he has addressed to me, and which contains an interesting account of his reception of the various deputations that waited upon him, together with the expression of his own views, founded upon personal observation of the opinions and feelings of the people in the districts through which he passed, the abuses of the petty local authorities, and other remarks upon the general condition of the inhabitants.

6. Sir Emerson Tennent has omitted no opportunity of rendering me every assistance in his power for the furtherance of the objects of my Government; he has at all times been ready to forego his own comfort and convenience for the promotion of that object, and I have every confidence that the result of his recent journey among the people will be alike beneficial to those whose interests are most involved, and to the Government, whose anxiety for their welfare will have been more thoroughly demonstrated.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

Encl. in No. 21.

Enclosure in No. 21.

MY LORD,

Elie House, Colombo,
August 4, 1848.

HAVING returned from my journey through the central and northern provinces of the colony, it is now my duty to report to your Excellency the information which it was my object to collect, as to the state of public feeling in those provinces, and more especially on the subject of the recent Ordinances and their reception by the people.

1. Before leaving Kandy I acquainted your Lordship with my interview with a number of influential landholders from the surrounding Korles; this meeting I held without the presence of the chiefs or headmen, as I had not failed to observe that at the previous meeting at the Pavilion on the 8th July, though the people attended in great numbers, they were evidently more or less embarrassed in the presence of their chiefs; and whilst the latter were the principal spokesmen, the great body of the natives appeared to shrink from asking for those explanations and that information which it was my object to afford as to the policy of the Government.

2. At the second meeting I alluded to, on the 10th July, the natives who attended were much more communicative, and in the absence of all restraint, they made the most minute inquiries on all points, both as to the absurd rumours which had reached them of intended taxes, and likewise as to the machinery and working of the Road Ordinance. On all these particulars I took pains to be explicit, and, after a very lengthened interview, they left me with expressions of entire satisfaction; and being supplied with copies in Singhalese of the minute explanatory of the Road Ordinance, they intimated their intention to proceed to their own districts and make known what they had heard from me.

3. At this interview, and from numerous other sources, I ascertained the important fact, that the rumours by which the minds of the people had been disturbed, as to the intentions of the Government to impose a long list of taxes on their property and produce, as well as the misre-

presentations which had been made of the system of labour contemplated under the road Ordinance had all originated with the chiefs and headmen, and I succeeded in tracing them clearly to that source. For instance, I ascertained that the Rattamahatmeya of Odonuwera (one of the most excited districts), on being required by the Government Agent, Mr. Buller, to supply the statistical information under the head of "agriculture" for the Blue Book Returns, had assembled all the Korales, Aratchies, and petty headmen at his own residence, had shown them the blank forms which particularize every description of stock and produce to be enumerated, and had ordered them to go in all directions and warn the people of approaching taxation about to be imposed on each and all of these items. The extensive mischief which followed from this one incident is easy to be imagined, and this is but one out of innumerable cases brought to my knowledge of similar culpability on the part of the headmen. I had to encounter and contradict the rumours of intended taxation at every point of the journey from which I have just returned, and in every instance I traced it to individuals coming down to the low country from the Kandyan hills.

4. In like manner the natives at the second meeting, on the 10th July, at Kandy, informed me that the Road Ordinance had been misrepresented to them, and that the chiefs had told them it was merely the restoration of the odious system of *rajakaria* (or compulsory labour), which had been abolished by the British Government in 1832-3. On this point I took especial pains to disabuse their minds, and to point out the wide distinction between *rajakaria* and the law recently passed. Amongst others, that whilst the former was unlimited in the amount of labour it might exact, the latter contemplates but six days in each year; the one took the people away from their cultivation and harvests, the other would only require their attendance after the harvest was over; the one involved public labour of all kinds, building houses, carrying stores, embanking artificial lakes, and cultivating the lands of others, whilst the other was to be confined to the construction of highways and village roads; under the one they might be carried to the most distant parts of the island to labour for the Government; under the other, they would not be required to go beyond a few miles from their own houses; under the one they were working exclusively for the Government or the King, under the other, for themselves, and the improvement of their own lands and villages; under the one, the people alone were to labour, whilst the chiefs and headmen were exempt, whilst under the other, every individual in the colony, the Governor excepted, was to contribute his proportion to its improvement; and lastly, that under the one they used to be driven by the headmen and forced to work by the chiefs, whereas here they were to have a voice in their own officers, and to elect their own District Committee, who were to recommend the roads to be made, and to regulate all the labour that was to make them.

5. In no single instance did the people fail, after explanations such as this, to declare that they had been entirely misled and deceived, and to express their satisfaction with the Ordinance, and their perception of the benefits it was calculated to confer on the district.

6. My Lord, the explanation of this dishonourable conduct on the part of the chiefs, and the secret of their dissatisfaction, is to be distinctly ascribed to the liberal policy of the Government, and the tendency of its measures to elevate the mass of the people by ignoring the conventional distinctions of caste and hereditary pretension, and to break up the system of serfdom under which, even to the present hour, the great body of the natives are subjected to the feudal superiority of the priests and headmen. Regarded in this light, the Road Ordinance is distasteful to the latter, as it fails to recognize any distinction of rank, establishes no exemption from the obligation to contribute either in labour or money for the improvement of the country; and transfers the management of their own local affairs from the individual monopoly of the chiefs to the general control of the community. It would be difficult for the chiefs to excite discontent amongst the people against a law so understood, and hence the pains they have taken to misrepresent it as a reiteration of the odious *Rajikeria*; and hence likewise their exertions to rouse the people by the added alarms of approaching taxation on their farms and property of all kinds.

7. And here, my Lord, I should be wanting in my duty to your Excellency, were I to fail to direct your attention to that which strikes me as a grave error in our system of government, affording to the chiefs and headmen the opportunity and the influence for thus misleading the great body of the people at their will and pleasure. Your Lordship is well aware that under the Kandyan kings the mass of the inhabitants were kept in the most slavish subjection to the chiefs and their subordinate officers; the soil was the absolute property of the sovereign, except in those cases in which the property in it was conferred upon the chiefs and temples; and the people in every instance were serfs, permitted to till and eat in return for their submission to labour, and devote their life and services to their immediate masters. The chiefs were the lords and rulers of the country, and its cession to the British Government was essentially their act, irrespective of the feelings of the people. In return for this, and as a matter of convenience, if not of necessity, they have ever since been perpetuated in office as the organs and agents of the Government; and although compulsory obedience to them has ceased, the same feeling of veneration with which they were regarded under the native sovereigns is still exhibited towards them by their people, voluntarily and from habit, in their present relation to the British Government.

8. This feeling of dependence it is the ambition and object of the chiefs to perpetuate and develop by every means in their power. A Kandyan chief never amasses money; his object is to acquire land, not as money's worth, but for the sake of the population it will feed, every individual of whom becomes immediately dependent on him for subsistence, and pays him no other rent than his share of the produce of the soil. He values his lands because they supply him with retainers to govern, and he accepts office without pay because it confers on him

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authority to govern them. In the same way, and on the same principle, all the petty headmen, coralles, and aratchies, are appointed generally without salary, but rendering their services in consideration of the exemption of their lands from taxation; a practice pregnant with frauds and abuses of every description; and with them, in turn, the great object is influence and authority, convertible occasionally into an instrument of gain.

9. This disposition of the chiefs has afforded a fatal facility to the Government agents and their assistants at out-stations for administering the local Government of the colony. The principal chiefs are selected from the great landed proprietors, because they are wealthy, and known to be "influential men in their localities," and they in turn recommended all the minor headmen and petty officials. The Government agent, from his own bureau, communicates his order to the ratamahatmeya of the district, who passes it on to his coralles, from whom it descends to the aratchies and village authorities, though it seldom reaches the people in the precise form in which it was originally promulgated, but, on the contrary, takes whatever gloss it may suit the chiefs to communicate to it. This recognized "influence" of the chiefs renders them the medium of communication on all occasions; the organ of information between the people and the Government, the local representatives of its authority, the agents for exerting all its powers, and the instrument for executing all its orders.

10. Under proper control, and with vigilant supervision, I am far from supposing that such an agency might not be employed with advantage; and in the present condition of the colony and its population, I am well aware that the employment of the influential and trustworthy natives is indispensable for carrying on the operations of Government. But that to which I have to entreat your Lordship's attention, is the uncontrolled authority thus delegated to hundreds of individuals throughout every district of the island, and its obvious inconsistency and incompatibility with the generous and liberal policy which successive Governors have pursued for the elevation of the body of the people, and their gradual emancipation from that state of serfdom under which they have hitherto been placed. The immediate Executive Government of the country is virtually in the hands of the chiefs; they are the advisers of the Government Agent on all matters of business, the sources of his local information, and the dispensers of his patronage; they are the assessors of taxation and the collectors of revenue; they are the police of the rural districts, and they execute the processes of the Civil Courts; in short, whilst one European gentleman holds nominally the authority over a wild and populous district, the chiefs of every division are in reality its rulers, and are virtually so regarded by the people; whilst for his own ease and facility it becomes the interest of the Government official to recognize their local authority, and to support and perpetuate their personal influence.

11. By great activity on the part of the European officer, and by constant perambulation of his province, it might be practicable to work such a machinery as this without risk to the Government or injustice to the people; but when the Government agent is fully occupied with his in-door work, or indisposed to active exertion, the country is virtually abandoned to these local headmen, and the mass of the people become accustomed to their dictation, and almost unconscious of any other authority. I have myself, within the present year, passed through populous villages, when the curiosity of the inhabitants who crowded to see me was accounted for by the assurance that I was the first English gentleman whom they had seen for many years.

12. But the anomaly is, that whilst on the one hand we have thus been building up the authority and influence of the chiefs, we have, on the other, by our legislative policy, been undermining it by the emancipation of the people. From being mere serfs and *adscripti glebae*, we have not only declared the whole population entitled to hold lands, but have actually confirmed them in the possession of that which they formerly tilled as the permissive tenants of the Crown; from being mere hewers of wood and drawers of water for the chiefs, we have invested those who are still the tenants of the great landholders with every right and privilege of British subjects. The only exception to this salutary provision is that which perpetuates the services by the tenants of the temple villages who hold possession of their lands, and which I have formerly recommended earnestly to the Government to commute for a money payment in the form of rent.* Again, we have abolished slavery; we have abolished the despotic system of compulsory labour, and we have disavowed all recognition of caste and conventional ascendancy of one race over another. We have renounced for the future that interference with the affairs of the Buddhist religion by which heretofore the chiefs and the priests have been identified with the Government as its protectors and the administrators of its temporal possessions; and, finally, by the recent Road Ordinances, we have formally declared the obligation of every man, without distinction of rank, to contribute his quota towards the improvement of the country.

13. Thus, whilst, on the one hand, we have been exciting the displeasure of the chiefs by a policy inimical to their pretensions of pre-eminence and authority, we have, on the other, been sustaining and encouraging on their behalf an undue influence in their own localities, capable, on any exigency, of being exerted as effectually against the Government as it is presumed to be exercised habitually in its support. At the present moment the most disorganized and turbulent locality of Ceylon is that of the seven corles surrounding Kurnegalle, where the population have recently had an encounter with the Queen's troops; and in this disaffected district there are not less than 700 of these chiefs and headmen, almost all of whom are either known, or suspected, to have been directly concerned in fomenting the recent disturbances.

* See Report on Colonial Revenue, October 22, 1846, under head "Temple Lands." For this Report, vide Parliamentary Paper presented by Command, April, 1848.

14. But, whilst advocating the propriety of employing the instrumentality of the native chiefs, under proper limitations, for the purposes of good government, the error which I have to bring under your Lordship's notice, is the neglect of the people by the European authorities, and their abandonment to the influence of their headmen without any precaution or corrective of its abuse. Periodical circuits and personal visits, attention to complaints, and inquiry into abuses on the spot, would assure the natives of protection against oppression and undue assumption, and teach them confidence in the vigilance as well as the justice of a British Government; but, unfortunately, these expedients are but sparingly applied. More frequent intercourse with Europeans, and the general diffusion of education, would soon quicken the apprehension of the natives, and enable them to judge for themselves of the truth or probability of popular rumours or official misrepresentations; but it is a remarkable proof of the neglect of which I complain, that in the central province, the seat of disorder at the present moment, the promotion of education and the establishment of schools has been so totally overlooked, that only five government schools are to be found in the whole Kandyan kingdom, and two of these are within the town of Kandy itself; and out of 12,354 $\frac{1}{2}$ voted for purposes of general education, only 793 $\frac{1}{2}$ are expended on the entire of the central province, and but 252 $\frac{1}{2}$ on the North-Western, including the Seven Corles and Kurnegalle, the seat of the recent insurrection. Thus, whilst the tendency of our recent policy has been, by abolishing unjust distinction, to bring down the power of the chiefs to the level of the people, we have forgotten the still more important duty of elevating the people nearer to the level of the chiefs; and whilst, as a matter of course, the headmen and their creatures are the organs of all information conveyed to the natives, and the immediate authors of all impressions they receive on public or local matters, we have not amongst the people themselves, throughout the interior of the island, any controlling check whatever, nor any countervailing authority to detect abuses and encourage the well-affected. We have no press, no paid police, no resident justices, no itinerant catechists, no schoolmasters; in short, no class whose intelligence and independence would be a restraint upon the assumption or misrepresentations of the chiefs.

15. Another and very obvious cause of the undue influence of the chiefs, is the unequal distribution of our judicial and civil establishments over the face of the country, thus reducing the people in the remote districts to accept the intervention of the headmen in all their grievances, and to submit to their adjustment in matters of complaint, which it would be attended with delay and vexation to carry before a distant court of justice.

16. Your Lordship will not fail to perceive the important bearing of this representation on the present aspect of affairs in the central provinces. That the late disturbances have been created and kept alive by the dissatisfied chiefs and priests, is unhappily no longer a matter of doubt or question. Their dissatisfaction with the recent measures is at length avowed; but unfortunately whilst left to be the exponents of these measures to the people, and whilst outwardly professing to be the friends of the Government, they availed themselves of their official position to disseminate the most dangerous falsehoods, to which their official authority and influence with the natives gave currency and effect. The popular alarm thus excited for impending taxation led to the assembly in Kandy on the 6th of July, when the people repaired to the Government Agent for information; and it is a strongly corroborative fact, that from that assemblage the chiefs and the headmen, contrary to all custom, were studiously absent. It would in fact have been an embarrassing position for them had they been present, whilst the Government Agent gave an explicit contradiction to the very statements which they themselves had been engaged in propagating far and wide amongst the people. On the occasion of the second meeting in Kandy on the 8th of July, at which I attended, the chiefs denied that they had counselled or countenanced the previous assemblage of the 6th, and for the reasons I have stated, I am disposed to give credit to their denial.

17. By my interview with the people at the Pavilion on the 8th, and still more effectually by my meeting with influential natives, apart from the chiefs on the 10th, the public mind, I have reason to think, was disabused of its previous erroneous impressions; and I have not heard of a single occasion from that time to the present, on which the recent Ordinances were alluded to by the Kandyans with dissatisfaction, or assigned as any ground for discontent.

18. The chiefs and priests in fact appear to have immediately changed their line of attack upon the Government; and uniting with the followers of the pretender, to have thrown off the mask, and avowed their real feeling, not limited to so narrow an object as opposition to an Ordinance, but impatience of the British rule, and a determination to restore a Kandyan monarchy.

19. In strong confirmation of my views upon this subject, I have now to beg your Lordship's attention to the result of the circuit from which I have just returned after a lengthened journey through the provinces to the north of the disturbed districts. These districts, though thickly populated, lie beyond the range within which the influence of the Kandyan chiefs extend; and here without a single exception I have found the people peaceful and well-disposed towards the Government, and so far from its recent measures being a subject of complaint, much less of revolt, I have received from them assurances of their entire satisfaction, and their conviction of the advantages which they are calculated to confer on their country and its cultivation.

20. The recent excitement was strictly confined to the Kandyan districts; and invariably when I have encountered any dissatisfaction with the Ordinances elsewhere, I discovered that it arose from false reports conveyed by stragglers from the Kandyan country. In every case I have succeeded in removing objections that had been previously entertained; but I cannot conceal from your Lordship that in the eastern, northern, and north-western provinces, I had one circumstance in my favour, on which I could not rely amongst the natives of the Kandyan hills. In the former the high character of the British Government is still revered, and the

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natives have not yet been compelled, by observation of the habits and experience of the conduct of the lowest class of English settlers to distrust the assurance of an English gentleman. But it cannot have escaped your Lordship's notice, that the case is widely different with the inhabitants of the districts adjoining the coffee country of Kandy, where unfortunately the acts of some of our countrymen, their personal demeanour, and their unkindness to the natives, have gone far to destroy the prestige of the British name, and to weaken that confidence and respect which formerly attached to the word and the character of an Englishman. The assaults upon some of the coffee plantations in the vicinity of Matelle, and the destruction of the bungalows and property, were, I have reason to fear, instigated less by political excitement than a remembrance of some personal injury at the hands of persons employed on the estates.

21. On the 11th of July, having had the interview with the people before alluded to on the 10th, I rode to Matelle and Nalande, through a populous district which had been much excited, and from which vast numbers of the people had joined the assemblages in Kandy on the 6th and 8th. I found the country peaceful, and the people returned to their occupations as usual. Their chiefs had been amongst the most active in sowing dissension by false reports of the Government measures; but the resident magistrate, Mr. Waring, informed me that the dismissal of the most disaffected of the Ratemahatmeyas, which I had recommended to your Lordship, had made a great sensation; and that the people who had gone into Kandy to the meetings a few days before had come back quite satisfied with the Government measures.

22. 12th July.—I rode to Dambool. This place is on the northern limit of the central province, at a point where it converges with the boundaries of the northern and eastern provinces. There is a remarkable temple here of great extent, constructed in a recess under the edge of an enormous rock. It is ascertained to have been a place of worship so far back as a century before the Christian era; and from its wealth and the splendour of its decorations in the 12th century, it was called "The cave of the golden mountain." It is richly endowed by successive kings of Ceylon; and I was shown a chapel recently added to it by the present Dewa Nileme, one of the richest and most influential chiefs of Matelle. The priests received me very respectfully, but complained that owing to the unsettled state of the question relating to the management of their religious affairs, no successor had yet been appointed to the chief priest who died last year. I found the people quite unaffected by the recent excitement at Kandy. I had a meeting with a large body of the natives, which was attended by some of the local headmen. They said they had all taken out licenses for their guns, and had no objection to the dog tax; but that they had heard that their farming stock and cattle were to be taxed, and if so, that they could not afford to pay that and the road tax also. This was the old story of the statistical returns for the Blue Book. My contradiction of the rumour gave immediate satisfaction, and they said they had now no objection to the new Rajakaria (compulsory labour), referring to the "Road Ordinance." A further explanation as to their misapprehension in supposing this Ordinance to be any restoration of "compulsory labour," was equally well received. They pointed to the main road which passes through the village, leading from Kandy to all parts of the north; they said their prosperity depended on it, and it was now so much out of repair as to be almost impassable for caris; and that they were ready at once to give their labour if required to complete it, and open up branch roads right and left. They only entreated that when called out to work, they might not be sent to a distance, and a reference to the clause of the Ordinance which prohibits this was quite sufficient to allay every apprehension. They left me after receiving copies of the Cingalese Minute, professing their intention to go into all the neighbouring villages, and inform them of what they had heard from me. I have stated these particulars concerning Dambool, to explain to your Lordship my belief that the natives of Dambool were unconnected with the movement which took place 14 days after, when the pretender and his followers arrived from Matelle, and proceeded to the temple, where the ceremony of coronation was performed by the priests; when the crowd returned to Matelle, and commenced the work of destruction there. This movement upon Dambool is not I fear to be explained by the mere fact of the sanctity of the temple there, but may probably have a more immediate relation to the circumstance of the Dewa Nileme, who is now under arrest for his supposed connexion with the rebellion, being one of the most munificent patrons of the temple, and consequently possessing such influence over the officiating priests as might persuade them to lend themselves to this treasonable proceeding at his immediate instigation.

23. July 13.—I left the high road at Ennamaley, a few miles north of Dambool, and rode eastward through the forest to Sigiri, where I had another meeting of the people and the headmen. This place is in the Matelle district; but lying at some distance from the residence of the principal chiefs. The people had not heard of the Road Ordinance, but they had registered their guns, and they told me they had not any objection to that law, as the game they killed enabled them easily to pay the tax. I explained the Road Ordinance fully, and they readily concurred in its propriety, and expressed their willingness to give their labour on the construction of roads anywhere within their own korle (division). One thing they urgently requested; that their labour should not be confined to the roads alone, but applied to the repair of the water-tanks and means of irrigation, on which they said the welfare of the whole community was as much dependent as on the making of roads. This had been equally pressed upon me by the people of Dambool; and I told them it was a subject which the Government had under consideration, and if the Road Ordinance were found to work well, the same machinery would probably be applied to other works of general utility.

24. July 14.—I entered the eastern province, and met a large assemblage of the people and their Gomarales (village headmen) at Cottavilla, a flourishing village, with a large population and most extensive paddy farms. The inhabitants are half Cingalese and half Moormen, and I heard they had been much disquieted by reports of a war with France, and that they were to

be seized as soldiers and sent to the maritime provinces. They brought their guns to the Government Agent, Mr. Whiting, who accompanied me, and said they had no complaint to make of the Ordinance which required them to take out licences, with which Mr. Whiting supplied them on the spot. They had never heard of the Road Ordinance, and its explanation gave them much satisfaction, as they said their lands were so remote from the high road that they had no market for their surplus produce, and it would be of vast importance to them to have the river Ambanganga bridged, as it nearly surrounded their district, and shut them up for three months during the rainy season, when it was generally impassable. They also pressed on me the importance of extending the Ordinance to the repair of the tanks, justly observing, "if we cannot cultivate our fields, what is the use to us of roads, as we shall have nothing to sell and nothing wherewith to buy?" They complained much of the want of a resident magistrate, and their distance from the nearest Police Court.

25. July 16.—I rode to Topare on the 15th, and halted to rest my foot-runners and baggage-bearers, who were exhausted by our forced march across the country from Kandy. On the 16th I assembled the people from all the adjoining villages of Dastotte, Gal-ella, Moragastotte, Malagampattoo, Doolane, Aloomgamma, and Oodavilla, and had a long interview. In reply to my inquiry whether they had any complaints to bring forward, they said none. They had almost all taken out licences for their guns, and those who had not were now ready to do so. I explained to them fully the vast importance which roads would be in opening up their populous but now insulated district, and they eagerly assented to give each six days' labour for their construction; but said it would be hard if those who were willing to work should have all the burthen, while others who would equally derive the advantage of their labour would be exempted. This led at once to the very principle of the Road Ordinance, and they left me expressing much satisfaction, and their entire readiness to come under its provisions at once. This place is nearly 30 miles from any high road, so that the people feel sensibly their inconveniences.

26. July 17. *Mineri*.—The meeting which I had here comprised the inhabitants of several populous villages; Ming-gahadama, Hattamana, and Giritalla, as well as those of Mineri. It was rather troublesome, as they were dissatisfied with what they had heard about the Road Ordinance, and altogether I understand they are a restless and disorderly race. The population is mixed, one-half Cingalese and the rest Moors; and the former complained much of being placed under the orders of a Moorish Wanniah (headman). This I promised to see properly settled, and gave directions accordingly to the Government Agent.

They complained also of the want of a resident magistrate, the nearest being 52 miles from them, and said their only objection to the Gun Ordinance was, that they had to go this distance to have their guns registered.

As to the Road Ordinance, their objections consisted of alarm for being carried to labour at a distance from their own villages, and fears that the people would be obliged to work and the chiefs and others exempted. I entered patiently on an exposition of all its provisions, corrected all their false impressions, and pointed out its advantages, and when I concluded a noisy Moorman, who had led the opposition, turned to the rest and said, "Now our mouths are shut." The people expressed their acquiescence and said, "As all are to work we are quite content."

They had heard the Government was going to tax their gardens, stock, and cattle, and asked if this was true; and on being assured to the contrary, they left me with expressions of perfect satisfaction. In the course of the day they returned and took out licenses for their guns.

27. July 18.—From Mineri I turned again westward to regain the great central road. A messenger met me in the forest with a petition from one of the Ratamahatmeyas of Kandy, whose dismissal I had recommended to your Excellency; in which he excuses himself and the people for their late excitement, by ascribing it to the ignorance in which they were left by the Government Agent and his assistant as to the real intentions of the Government and the nature of the recent Ordinances. He says, "I beg to submit that it was owing to the want of explanation of the Ordinances, and the great benefit that is intended by them, that both headmen and the people began to entertain doubts; but since you have clearly explained the Ordinances and the great benefits we are to derive from them, the doubts that the people entertained have been dispersed and the people are quiet." I send this petition to your Excellency; and I have not heard that any of the people of this district (*Oodoonwera*) have, since their interview with me at Kandy, on the 8th, joined in any of the late proceedings of the disaffected party.

28. In the evening I reached the great road leading from Kandy to Anaradjahpoora, and held a meeting of the people at Haborenne. It was attended by the inhabitants of 11 other villages, whose names are in the margin. This meeting was one of the most important I have yet addressed, as Haborenne is itself a populous place, and in the centre of a densely-peopled district. The Ratamahatmeya attended and also several priests as well as petty headmen. Lying on the great Kandy road the people had heard what had been passing there; and whilst they expressed their ready assent to the Gun and Dog Tax, they expressed alarm for the Road Ordinance. As usual I found that all their objections were the result of false information derived from Kandy; one by one I answered every inquiry and removed every objection; and the meeting dispersed expressing entire contentment with what they had heard and readiness to carry out the law.

I have the more reason to believe them sincere in this profession, as I recognised several who attended this meeting at others which I subsequently held in the same district, and on all occasions they lent their assistance to explain the law and allay apprehension where any existed.

Galle-cadawelle,
Oodoo-cadawelle,
Hera-welle,
Lena-deriagammoe,
Vera-galle,
Palugas-weva,
Coombook-weva,
Rambaa-weva,
Demoon-weva,
Wyaoolpoote,
Kalawa.

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1. Nilligame.
2. Karokkan-colum.
3. Kanjiniary-colum.
4. Mylamperoo-mawa.
5. Wallyk-colum.
6. Telambayyagome.
7. Sestrielle.
8. Moodoperumagam.
9. Taro-weva.
10. Pulcan-colum.
11. Mayadem-kadravelle.
12. Colan-colum.
13. Etuni-witchyawera.
14. Notchi-colum.
15. Kahatagawewa.
16. Ettewarawewa.
17. Itellapulan-colum.
18. Niekewawa.
19. Kawoodanawa.
20. Kollienkoolligame.
21. Kappaloogam.
22. Emboolgawewa.
23. Kalkarawe.
24. Wiroong-colum.
25. Allawe-loonoowewa.
26. Medee-weva.
27. Kiriwootawe.
28. Ikelligame.
29. Mangkadeweleo.
30. Andrewweve.
31. Magora-hidiawa.
32. Heenook-kiriawa.
33. Potangerome.
34. Oolpotter.
35. Gonne-well-potter.
36. Hitturegome.
37. Nikessotawe.

29. July 18.—Again leaving the great central road at Haboremme, I struck westward into the open country round the Rittagolla Mountain, which contains numerous villages and a dense population. Having sent intelligence the day before of my intention to meet the people, I had a large assemblage at Heme-kiri-awa of the inhabitants of 37 surrounding villages, whose names will be found in the margin. They represent a most important district, Neurakalawya, once the granary of Ceylon, and still possessing a soil of the richest capabilities, but owing to the ruin of the tanks and other causes, it has fallen into decay and comparative neglect. It is still covered with numerous villages; the farming is good, and the natives have the reputation of being amongst the most peaceful and well conducted in Ceylon. They assured me, in reply to my inquiries, that they had no complaints to make, nor any objections to the recent Ordinances. As to the Road Ordinance they said their information was but imperfect, and they had assembled not to object to it but to learn its scope and provisions. This I communicated to them at length; they listened attentively, asked many pertinent questions, and concluded by expressing their concurrence and satisfaction with all they had heard.

30. This subject being disposed of, they expressed with much earnestness their desire to bring under the notice of Government the prevalence of cattle-stealing in their district; it was carried on to such a height as actually to interfere with the extent of their cultivation, as barely enough of bullocks and buffaloes escaped to suffice for the purpose of tillage. They said they knew the robbers and their haunts, but they had no resident magistrate, and were so very remote from the nearest police court, that it was vain to look to the ordinary tribunals for protection. Their headmen, instead of repressing the evil, were more than suspected of being in league with the robbers. On this matter the full report which I have elsewhere made to your Excellency, and the measures adopted in consequence, will, I have every confidence, suffice to put an end to this practice.

31. On the same day, at the village of Ellagamma, a rest-house station on the Anarajahpoora road, I held a second meeting of a similar kind of the inhabitants of the surrounding villages, Korsegalla, Mahawewa, Medigamma, Bateloowewa, Alooowewa, and Maha Ellagamma. They had heard from Kandy of the intended taxation on their agricultural stock, and this was the only point on which they were disquieted. The gun licences and the tax upon dogs they had no complaint against; and as to the Road Ordinance, on hearing its provisions explained, they said to me, looking one to another, "One and all we are much pleased." The prevalence of cattle stealing was their only cause of uneasiness. They said they were 30 miles from the nearest magistrate, and, with some emphasis, added, "Robbers rule us, and not the English officers." I asked if their headmen did their duty. They shook their heads, and said, "We blame no one more than another; all we say is, that we are plundered, and the robbers are unpunished." I promised immediate attention to their representations, and left them with assurances of satisfaction.

32. July 20.—I again met a large assemblage of the inhabitants of 21 villages, whose names are in the margin, at Peria Colum, a central point on the great central road, within 17 miles of Anarajahpoora. The feeling of the people was not that of opposition to the Road Ordinance, but of anxiety to hear more of it. The gun tax, they said, was unobjectionable, and would do good, by keeping arms out of the hands of robbers and cattle-stealers. Some of the elders of the villages, when I dwelt on the importance of roads, and the added value which they gave to land and produce, turned round to the crowd, and interrupted me, observing to those behind them that it was quite true; that they remembered the state of the country before the present high road was opened, and that now paddy fields were double the value they were then, and rice could be freely sold to dealers; whereas, before, no one could approach the villages to buy it or carry it away. I answered numerous inquiries as to the measure, not started as difficulties, but leading to information; and without a dissentient, the chiefs as well as the people, expressed their concurrence and approbation of the new law. Cattle stealing, as before, was the crying evil of which all loudly complained.

33. July 22. *Anarajahpoora*.—Here I held a large assembly of the inhabitants to-day which was attended by the natives from all the neighbouring villages and districts of Eriagame, Basewakcolum, Kiriolowe, Eleaparti, Kirigolamme, Oolooch-colum, Itti-colum, Wallyk-colum, and Tarrowewa. I found them much disturbed by the rumours from Kandy of coming taxation on their gardens, cattle, crops; and even their women, they were told, were to be included. I, of course, removed all alarm on this score; and they expressed their satisfaction with the dog-tax, as tending to abate a dangerous nuisance. The gun-tax they murmured at, but on reminding them that the law conferred the privilege of keeping arms, which were now prohibited, and that it would become a distinction to be entrusted with a licence, as it would be withheld from all improper characters, they acquiesced, observing that game was abundant, and a single deer was equal in value to the whole tax. As to the Road Ordinance, they said they had heard of it only as a restoration of compulsory labour; but I found the same expositions which obtained favour for it elsewhere, equally successful here; and I can have no hesitation, from my own observation and experience, in saying that nothing but ignorance and misrepresentation can render the law unpopular, and that whenever I have explained its operation to the natives, they have received it not merely as something to be acquiesced in and submitted to, but as a boon and a manifest advantage to their district and property.

34. July 24. *Moodlear Colum*.—On my way to Aripo I held a meeting at this village, 25 miles west of Anarajahpoora. The people had heard little of the Ordinances, and that little erroneous. They were chiefly Moormen, and their spokesmen were at first noisy and rather vehement in their expressions, but after a patient explanation they retired, expressing perfect satisfaction.

1. Peria-colum.
2. Itti-cattea.
3. Machagam.
4. Gale-eleve.
5. Hinow-wehogama.
6. Dam-pelama.
7. Hummill-lewa.
8. Wallagam-bahoo.
9. Tantirragam.
10. Palligagam.
11. Skila-cagam.
12. Poodoo-colum.
13. Cavam-bewe.
14. Cadruagam.
15. Cannomulle.
16. Wajecolum.
17. Hinde-colum.
18. Melam-permawa.
19. Poolian-colum.
20. Opidiagam.
21. Radagam.

35. July 30. *Putlam*.—I have attended two important meetings of the people here to-day, at which the chiefs attended, and at which the cart-tax and the gun-ordinance were complained of. The persons present were chiefly Moormen, who abound in this district, and who maintain an active traffic in carrying up salt and salt-fish from the coast, to be exchanged for coffee and rice in the interior. Their demeanour was perfectly respectful, and they listened with attention whilst I pointed out the effect which the recent abolition of the export duty will have upon native coffee, the protection which they as traders receive from our police and courts of law, under whose protection their carts pass from one side of the island to the other in security, and the expenditure upon the roads for their convenience; and on my asking whether it was not reasonable that they should contribute something towards all this outlay for their benefit, they frankly said they had not seen it in that light before, and that on the whole they thought guns as fair a subject for taxation as could be devised, and that the tax upon carts was a legitimate one, considering that the Government had borne the cost and the upkeep of the roads.

36. The second meeting was more numerous and more noisy. It was composed both of Moormen and persons from the villages round Putlam, who had come in to get information as to the Road Ordinance, of which they had heard alarming representations from Kandy, that compulsory labour was to be revived, and a poll-tax to be collected of 3s. a-head. As in other instances, I found them most patient and accessible to reason; my contradiction of the grosser misrepresentations conveyed to them prepared them to acquiesce in the justice of my explanation as to what was the real object of the Road Ordinance, and the propriety of the very small contribution in labour which the Government asked in aid of its own exertions to open up the interior with bandy roads and village paths. The Moormen at once perceived and admitted that their own trade and living were involved in this, and the Cingalese villagers that their cultivation and the sale of their produce were contingent on it; and at the close, when I appealed to them now to tell me what they thought of the law, and whether it was a good or a bad one for the country, the Moormen, who had been most noisy at the beginning of the meeting, stepped forward and said it was an excellent law, and they had to thank the Government for passing it; and one Cingalese man said he had come 10 miles from his village to get this explanation, as his people were much disturbed by the reports they had heard, "but he would now go back quickly, for he was the bearer of good news for all of them."

37. I have thus, my Lord, in the course of 18 days, traversed this important portion of the island, which comprises the principal agricultural districts of the interior, passing south to north, from Kandy to Anarajahpoora, and east to west, from 'Iopare to Putlam. I have been in constant communication with the people, meeting them daily in large assemblages and conversing with them in their fields and villages, and I have not met with a single complaint against the new Ordinances that was not distinctly ascribed either to alarm, arising from total ignorance of their provisions, or discontent produced by wilful misrepresentation of their object. As to the Road Ordinance, which was the principal object of my solicitude, knowing how much it had been misconceived in the Kandyan provinces, owing to the erroneous reports put in circulation by the chiefs, I took especial pains to ascertain the feelings of the people, and to disabuse their minds whenever wrong impressions had been taken up; and I cannot hesitate to state, as the result of my own observation, that whenever it has fairly been explained to the people, they are quick to perceive its importance in promoting the improvement of their own localities, and that it only requires to be made known to ensure its welcome reception universally.

38. As to political excitement or discontent with the Government, no single expression, even from the most excited of the people whom I met and conversed with, could lead me to suppose that such a feeling exists in the country; and those who are constantly resident in it and observant of the people, the Government Agents who accompanied me each in his own province, and the Officers of the Government in the Department of Public Works, who are moving much among the natives, all concur in their assurances that no such feeling is to be found amongst any class of the population. The Tamuls of the north and west, and the Moors, who are the principal inhabitants of the eastern province, have no political sympathies with the Kandyans; and the Cingalese of Nuwerakalawya, a wide and populous province, expressed themselves to me contented and grateful to the Government for the liberty and security they enjoy. The only single expression which betokened deep feeling, was used in reply to my inquiry as to what the natives of a village near Rilligalle had to suggest for the suppression of cattle-stealing in their district, when an old man said, "Our own kings kept down such practices, and we look to your Government to suppress them now."

39. But the Cingalese are a versatile and feeble race at best, prone from immemorial habit to implicitly believe what is told them by their priests, and to implicitly obey what is ordered by their chiefs. It would, therefore, be rash in me to offer any assurance of confidence in the continued tranquillity of a people exposed to such influences; but from what I have now witnessed amongst them, their peaceful demeanour, their expressions of general content, their ready avowal of what they felt as a grievance, and their candid acknowledgment of what was shown to be an error, I am bound to say that I should be surprised and disappointed were they to make any demonstration in favour of the Kandyan rebels, or to unite in any political movement for the restoration of a Kandyan monarchy.

I have, &c.,
(Signed) J. EMERSON TENNENT.

CEYLON.
No. 22.

(No. 143.)

No. 22.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo,
August 14, 1848.

(Received September 25, 1848.)

Answered Oct. 24,
1848, No. 303,
page 339.

* Page 148.

MY LORD,

1. I PROPOSE in this Despatch to furnish to your Lordship the fullest information in my power with regard to the rebellion, which, as I have already mentioned in my Despatch, No. 141,* by this mail, has broken out in some portions of the Kandyan districts. It appears to me that a simple narrative of facts, supported by authentic documents, divested of all extraneous matter, will, in the first instance, present to your Lordship the clearest view of the progress of events. I shall, therefore, reserve for a separate paper, the various observations which I may feel it my duty to offer respecting the origin and the tendency of the present excited state of public feeling among the natives in that part of the country, and the difficulties which we may still have to contend with.

2. As remarked in my former Despatches, reports of a very indefinite character had on several occasions been made to me that a new pretender was about to make his appearance. Rumours of this description have been at all times so frequent at this season of the year (preceding one of their great festivals, the Perreharre), and on the present occasion were so vague and inconsistent with each other that little notice was taken of them. It was not until the 29th of June that anything like trustworthy information could be obtained; and even the letter which I enclose from the Superintendent of Police at Kandy, although it speaks of a pretended king, and accuses the priests of fomenting disturbances, expresses entire confidence that no serious disturbance or insurrection would take place.

3. The next report upon which any reliance could be placed was addressed to Mr. Power, the Assistant Government Agent at Kaigalle (in the Four Korles district), by the principal native headmen (copy enclosed), under him, on the 23rd of July; and it gives a tolerably clear account of the supposed plans of the rebels at that time. From this statement it would appear that their original intention was to have deferred their attack until the height of the festival of the Perreharre, and then to have made a combined descent upon Kandy on the night of the full moon in the present month (the 15th August).

4. In the meanwhile, however, the disturbances at Kandy, on the 6th July, had taken place, as before reported, in which the people were ostensibly brought together to complain of the taxes, and were entirely unarmed, so that the conclusion was then arrived at, that as the people had been dispersed without much resistance on that occasion, and no mention was made of the pretended king, no apprehension need be entertained of the appearance of any such person at the head of a body of rebels in open arms. A second report was sent to me by the Superintendent of Police at Kandy and by the Government Agent, dated the 25th July (enclosed), to the effect that a great number of people were assembled at Matelle, "with swords and fire-arms;" that they were headed by thieves and robbers, but no mention was made of the pretender.

5. A strong body of police were at once sent out in that direction, with the Superintendent, Mr. Loco Banda, at their head. A very unsatisfactory report of the state of things in that neighbourhood was received from him at Kandy, late in the evening of the 27th, in which it was stated, as a prevalent rumour, that the pretended king had been crowned in the temple, at Dambool, the preceding night (at what was deemed a lucky hour); that the post-office communication was stopped on the Trincomalee road, and further assistance was urgently requested, as crowds of armed people were reported to be assembled in all directions. Other statements were likewise sent in to the Government Agent, at Kandy, by the police magistrate, as well as by two of the native headmen, which induced that gentleman (Mr. Buller), after conferring with the commandant, to proceed in person on the 28th, to inquire into the actual state of things upon the spot. He had only proceeded a few miles on his journey when he met the police magistrate of Matelle hastening towards Kandy for assistance, who stated that about noon on that day a riotous body of armed people entered the town, and as the police stationed there were

compelled to retire, they proceeded to attack and destroy the public buildings, including the magistrate's residence and the rest-house, and had set fire to or destroyed the public bazaar. The number of armed people in the neighbourhood of Matelle was estimated at about 4000, and it was again stated that a king had been proclaimed.

6. Mr. Buller thereupon immediately returned to Kandy, and called a meeting of the resident magistrates, by whom it was immediately resolved that an application should be made to the commandant for the assistance of a strong body of troops. I enclose a copy of Mr. Buller's report and the proceedings. No time was lost in making preparation for the departure of a sufficient military force, and at 10 o'clock the same evening the detachments detailed in the margin left Kandy, under the command of Captain Lillie, an old and experienced officer of the Ceylon Rifles, well acquainted with the country and with its inhabitants. In the mean time the police force was augmented in Kandy, and a great number of special constables were sworn in. The Government Agent and the Deputy Queen's Advocate accompanied the troops.

7. From the reports which I have now the honour to enclose of the Commandant, Colonel Drought, the officer in command of the detachments, Captain Lillie, and from the Government Agent, Mr. Buller, your Lordship will be enabled to gather that the troops marched during a very dark and rainy night for a distance of about 10 or 12 miles without molestation, and without being able to see an enemy, though they occasionally heard shots fired, probably as signals. Soon after daylight they fell in with several bodies of armed men obstructing the roads leading to Matelle and to Wariapole. An attempt was at first made to hold a parley with them, and with a view to make prisoners of some of the leaders, a few of the rifles were directed to move upon their flank, upon which they endeavoured to escape, but many of them were captured. Upon this a strong body of insurgents, who were posted upon a hill about 200 or 300 yards distant, opened a smart fire, by which one man of the 15th was wounded. A continued engagement then took place between the Rifles and the numerous bodies of the natives in the jungle, the detachment of the 15th regiment keeping possession of the road, and firing upon the enemy wherever they showed themselves. The king and his principal followers were reported to be at a bungalow, about half a mile distant from the road, and Captain Lillie proceeded with the rifles towards it, in the hope of capturing or destroying the leaders of the insurgents. Unfortunately the pretender managed to escape, though with difficulty, leaving his palanquin behind, but several of the rebels were shot at this spot, and some arms and gunpowder were found in the bungalow. An Englishman, the superintendent of the estate, was also discovered, bound hand and foot, and suffering greatly. About 10 of the rebels were found to be killed on the spot, and a great many wounded; but it has since been ascertained that the total number of killed and wounded amounted to little less than 200. On our side only one man was wounded. The rebels dispersed in all directions through the jungle.

8. On entering the town of Matelle (or as it is more properly called Fort MacDowall) the bazaar was found burnt down, the police office and all its records destroyed, and much damage done in every direction. The houses and bungalows upon the estates upon the neighbouring hills were plundered, and the whole country was in a state of terror.

9. Information of these occurrences being rapidly brought to me at Colombo by express, I lost no time in conferring with Major-General Smelt and my Executive Council, as to the measures necessary to be taken in such an emergency. The serious nature of the revolt, and the small amount of our military force (the Ceylon Rifle Regiment, being more than 600 men short of its full compliment), added to our uncertainty as to the state of feeling among the inhabitants of other parts of the Kandian country (whose loyalty, judging from past experience, could never be depended on), induced me, without hesitation, to apply to the Governor of Madras for immediate military assistance. I accordingly wrote to Sir Henry Pottinger, while the Major-General addressed Sir George Berkley, requesting that two or three companies of infantry, either European or native, might be immediately dispatched to Trincomalee, and that one wing of a European regiment, and a regiment of native infantry, might be held in readiness to embark at a moment's notice should further military assistance be deemed necessary.

1 captain, 2 lieutenants, 4 sergeants, and 100 rank and file, of Her Majesty's 15th Regiment, and the same details of the Ceylon Rifle Regiment.

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10. I was under the necessity of engaging the "Lady Mary Wood" (a steamer belonging to the Peninsular and Oriental Steam Navigation Company), which fortunately happened to be at Galle at the time, to proceed to Madras to fetch the troops with the least possible delay, and I have been entirely convinced, by circumstances which have since occurred, that it was the only safe and justifiable course to pursue. The "Lady Mary Wood" reached Madras on the morning of the 2nd instant, and early on the following day three companies of Her Majesty's 25th regiment, upwards of 300 strong, under the command of Major Deacon, embarked on board the steamer above-mentioned; and the Honourable Company's steamer, the "Hugh Lindsay," together with their camp followers, equipage, and ammunition. They landed at Trincomalee on the 5th instant. Correspondence with Sir Henry Pottinger enclosed.

On the following day the troops, which were already in garrison at that station, viz., two companies of the 37th Regiment and one of the Rifles, began their march towards Kandy, to clear the road, and cut off the rebels in the rear as they advanced.

11. I now return to the progress of events at Kandy, and I shall forward to your Lordship every document of interest connected with the rebellion. But that you may be enabled more readily to trace the general course of proceedings, and particularly the distribution of our military force, I have caused a map of the island to be prepared, showing more especially the points of importance in the Kandian country, and having all the military posts at present occupied by detachments marked upon it.

12. Upon the receipt of the information already detailed, I caused a proclamation to be issued placing the Kandian district under martial law, and a reward of 100*l.*, subsequently increased to 150*l.*, was offered for the apprehension of the pretended king. The enclosed report from Mr. Buller, of the 31st July, contains the narrative of his proceedings for the protection of the estates, and for the apprehension of the rebels.

13. That the designs of the rebels were much more extensive than had been at first supposed, and that a secret and cunningly planned combination had for a long time existed among the chiefs and superior headmen for the purpose of creating a general rising of the Kandians to throw off the British yoke, will be apparent from the fact of the simultaneousness of the attempts to create disturbance in several places at the same time. From the statements of some of the prisoners already captured, there is good reason to believe that the scheme was made to explode somewhat earlier than was intended. If we can believe the accounts which have been given of their designs, it would appear that at the very time our troops were on the march to Matelle during the night, the jungle on both sides of the road was filled with thousands of armed men (some say nearly 20,000), who watched our troops as they passed, but whose purpose it was not to attack them as they advanced, but to cut them off from their retreat to Kandy. In fact, the engagement with our troops at Matelle would seem to have been brought on by accident, the real plan of the rebels being (as reported) to draw as many of our troops as possible out of Kandy, and then to make a simultaneous rush into the town from various points on a Sunday while the people and many of the soldiers were at church.

14. On the very day that the demand for military assistance at Matee reached Kandy (the 28th), a similar requisition was brought from Kurnegalle, the centre of the Seven Korles district, and about 25 miles from Kandy. But Colonel Drought having few troops at his disposal, and being then on the point of sending detachments to Matelle, was compelled to decline. But on the following day a more urgent application was made in person by one of the magistrates who had hurried up from Kurnegalle, and it was then found indispensable that a detachment of at least 30 men, and two officers of the Ceylon Rifles, should be despatched to that station without loss of time by a forced march. On their arrival they found the town of Kurnegalle already in possession of the rebels, who were still entering it in great numbers from the opposite side. The agent's office (the Cutcherry) had been entered and plundered, all the records and papers being torn or burnt, and the mob were in the act of trying to break open the cash chest, when the troops advanced upon the building. The Court House of the district judge had been plundered, and the whole of the records destroyed; the public bazaar had been burnt down, and nearly every house in the place damaged (Report of the Assistant Government Agent

enclosed). Added to which the gaol had been broken open, and all the prisoners liberated.

15. The Rifles immediately opened their fire upon the disorderly crowd of armed men, who, although taken almost unawares, attacked them as they approached, but they soon took to flight, leaving 9 or 10 killed on the spot, and many wounded; 26 dead bodies were afterwards buried; about 20 prisoners were taken. In spite of this severe lesson, the rebels entered the town again two days afterwards, viz., on the 1st instant, but retired on being attacked by the Rifles (suffering some loss), and a second attempt on the same day was equally unsuccessful (Colonel Drought's report and enclosures sent herewith). The small detachment of the Rifles suffered no casualties.

15.

16. On the receipt of this intelligence, I caused martial law to be proclaimed in the district of the Seven Korles. Reinforcements were ordered by the Major-General to march from Colombo to the interior. Steps were taken for calling out the military pensioners, of whom there were nearly 300 in different parts of the island, and two divisions of the road pioneers were brought in for the purpose of escorting baggage and assisting the troops. A reinforcement of about 150 men, of the 37th Regiment and Rifles, reached Kornegalle, under Major Layard, on the 2nd instant, and a similar force marched on to Kandy under the command of Major Lushington (37th Regiment), which they reached on the morning of the 5th. In the meantime, the respectable inhabitants at Kandy who possessed arms, had placed themselves at the disposal of Colonel Drought for the protection of the town, and to enable him with less difficulty to send out detachments of troops to various points where their presence was urgently demanded, not only for the protection of the Europeans and peaceably disposed natives from rebels and plunderers, but to give encouragement to the Malabar coolies, and prevent their being driven by fear from the estates. Ammunition was also distributed among the planters, and I have very great satisfaction in assuring your Lordship that the coolies have generally behaved remarkably well, and with even moderate encouragement have proved themselves thoroughly able to resist the intimidation of the Kandians, who, though treacherous and vindictive, are represented to be by no means courageous. It is worthy of remark, that although nearly all the estates in the neighbourhood of Matelle have been plundered and otherwise recklessly damaged, nevertheless, in all other districts, and indeed on some of the estates in the district I have named, wherever the proprietors of the estates, or the superintendents, have remained upon them and encouraged the coolies, their property has been preserved from injury.

17. Nothing could exceed the good spirit which has been shown by the Europeans generally at Kandy, and the readiness with which they have come forward for the support of Government. In addition to those who served as special constables in the town, the police magistrate, Mr. Hanna, proceeded in company with about 20 gentlemen on horseback, armed, through the most disturbed part of the country, visiting the estates, and distributing arms and provisions. Others were employed as scouts in various directions, to watch the ferries and collect information as to the movements of the rebels. It was feared that they might endeavour to concentrate in Doombera, near Kandy, and then force their way through the jungle, towards Badulla, (our weakest point, and the seat of the insurrection in 1843,) committing depredations on the estates as they proceeded. The rapid movements of our troops, however, disconcerted this scheme (if ever it was seriously entertained), but, nevertheless, as Badulla is an isolated station, far removed from supports, it was thought necessary by the Major-General to augment the detachment there to 100 men, for which purpose a small party of Malays were ordered to move up from Hambantotte, and a few men of the invalid company of Rifles were sent by sea to that post.

18. The temptation offered by the large reward for the capture of the Pretender induced several parties in disguise to go out in search of him, but at the same time, as the possession of the Buddhist relic or tooth has always been regarded by the Kandians as the mark of sovereignty over their country, and it was stolen and carried about as the signal for rebellion in 1818, which only terminated with the recovery of it (which, it is worthy of notice, took place at Matella,) it was judged right by the Commandant to demand the keys of the temple as well as of the shrine of the relic, which had been delivered by me into the charge of two priests and a chief, about a year ago. He then assured

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himself that this object of their veneration had not been removed from its accustomed position, and converted into a signal for rebellion. The examination took place in the presence of Mr. Buller. But not trusting any longer to the integrity of the priests or chiefs (by whom the insurrection has been entirely organized), the keys have for the present, at all events, been retained in the possession of the Commandant. The beating of tom-toms, and the collecting of crowds of people in the temples, has been likewise prohibited.

19. The character of the insurrection may be, however, in some degree estimated from the fact, that one of the most desperate robbers in the island, who had more than once escaped from gaol, and for whose apprehension a reward has long been offered by Government, was an attendant upon the person of the pretended king, and one of his most active agents. He had long been the terror of that part of the country; but he has fortunately been captured, tried by court martial immediately, and shot, exclaiming, at the last moment, that "if the king had had three men about him as bold and determined as myself, he would have been master of Kandy." Several other prisoners have also been tried and shot, but none of those captured previously to the proclamation of martial law have yet been brought to trial, and there is great difficulty in dealing with them, however desirable it may be to make summary examples, as long as martial law continues in force.

16.

20. With a view to encourage those among the native inhabitants who had not joined the rebels, and to give confidence to those few headmen who had rendered assistance to Government, as well as to deter the evil disposed, I caused the address, which I now enclose, to be translated into Singhalese, and widely circulated throughout the country, and I have reason to believe that the effect of it has been exceedingly beneficial. Notices also have been circulated, warning the people that if they were found absent from their villages, their property would be liable to confiscation.

17.

21. On the 4th instant, a man who assumed the title of king in the Seven Korles District, and who turns out to have been the elder brother of the pretended king, who was crowned at Dambool, and who is still at large, was captured in the neighbourhood of Kurnegalle, together with a number of his followers, by a party of the Ceylon Rifles, and on the following day he was tried by court martial, and shot. Major Layard's report, together with Colonel Drought's enclosed.

18.

22. From the statement made by one of the prisoners, who was formerly the highest native officer of Government in the Matella District, but had been lately dismissed, it would appear that the intention of the two brothers was to unite the followers at Kurnegalle, had not this party been arrested and that their usual place of resort, when not desirous of strict concealment, was in the temples or in the preaching-rooms of the priests.

23. Since the arrival of the reinforcements of troops at Kurnegalle, and the execution of one of the pretended kings, no further attempt has been made by the rebels in that quarter. The report which I enclose from Mr. Sims, a police magistrate on the borders of the Seven Korles, in which are detailed the steps which he had taken to aid the military authorities, by visiting the villages in the most disturbed part of the district, escorted only by a small party of 10 Malay pensioners, will, I think, point out that, with firmness on the part of the European authorities, no mischief need be apprehended, except in the case of a sudden and determined outbreak, in some one particular spot, by a large body of people suddenly brought together from more distant places.

24. The most recent reports from Kurnegalle lead me to the conclusion, that all is at present quiet in that neighbourhood, although the villagers have not yet entirely returned to their usual occupations. A rumour still prevails, that another attack will be made on the day of the full moon, to-morrow, the 15th; but, as some of the principal leaders of the insurrection are already captured, and a strong body of military is now stationed there, I do not apprehend that any further attempt will be made. I should also be disposed to believe that the efforts which were made previously to the outbreak by agents of parties in Colombo to create dissatisfaction among the people of that district, and to induce the headmen to take part against the Government, with regard to the new ordinances, will not be renewed for the present. I shall leave no means untried to discover the parties who were the active agents in the work.

25. Major Layard, and a small detachment from the Kurnegalle force, has

pushed on by the road towards Dambool, to the north of Matelle, and a party of Malay soldiers in disguise, but well armed, have been sent on in the direction of Anarajapoor, in the hope of capturing the Pretender, who is reported to have retired in that direction. A detachment of 50 men from the force, advancing from Trincomalee, has also been sent off in the same direction to endeavour to restore confidence to the frightened inhabitants of the district of Nuwerakalawiya, who were deserting their villages, and hiding themselves in the jungle.

26. Other reports, however, state that the Pretender has moved down to the south-west of Kandy, and is concealed in the Four Korles. Certain it is, however, that one of his retreats was discovered a few days ago in Doombera, by a party of people who were sent out by Mr. Buller to trace him, but as he was at the moment surrounded by a large body of armed men, they failed in making a prisoner of him. It is impossible, however, that he can much longer maintain his concealment, or avoid being captured. The people who are about him, as well as the inhabitants generally of the disturbed districts, will soon grow weary of a useless struggle, and must shortly return to their villages to gather in the crops.

27. To the south and west of Kandy, the country appears to be quiet and peaceful. The reports which have reached Colonel Drought, from all quarters, appear to be generally favourable, with the exception of the misdeeds of robbers and marauders, who profit by every opportunity to plunder deserted or unprotected houses. The most recent accounts state, that the people belonging even to the villages about Matelle are gradually returning to their houses; but, nevertheless, large bodies of armed men are known to be lying in the jungle on the hills to the north-east of that district, and a watch-fire which was purposely lighted by our troops as a decoy, two nights ago, was speedily answered by numerous fires upon the tops of the surrounding hills.

28. I should run the risk of deceiving myself, as well as your Lordship, if I expressed too great a degree of confidence in the immediate restoration of absolute tranquillity. Those officers who know the country and the people best, and speak from the experience they gained on former occasions, seem to be of opinion that the present is only, in fact, a continuation of the rebellion which was attempted in 1843;* and it is worthy of remark, that the present impostor, who has been set up as king, was tried at Badulla on that occasion for high treason (being one of the then king's attendants), but was acquitted for want of evidence; or, more properly, owing to the corruption of the jury. Many others who were then implicated, are also known to be deeply concerned in the present outbreak.

29. Although I feel persuaded that the vigorous and energetic measures already adopted to crush the insurrection at its outset will have the effect of deterring the rebels from undertaking any important connected movement, and will prevent the spread of the rebellion to remoter districts, I should be too sanguine if I were to expect that perfect tranquillity would be soon restored. Some little time must probably elapse before the bodies of armed men will entirely disperse, or the mass of the people settle down into their ordinary avocations. It thought that efforts are still being made to rouse the people in Ouvah and in Bintenne; but I have little fear of the result, as the failure of the first attempts must always tend materially to damp the ardour of the leaders in other quarters.

30. It is a fact worthy of attentive consideration, that the Dewe Nilleme, or the highest of the native chiefs, and the lay head of the religion of the people, the only survivor of all those chiefs who signed the treaty of 1815, who took no part against the government in 1818, or as far as is known, on any subsequent occasion, is believed, on pretty good testimony, to have been not only cognizant of the intended insurrection, which has just broken forth, but also to have played his part in getting it up. The probability is, that in his old age, he was made a tool of by more designing men. So great was the general belief in his trustworthiness, that he had only a few days before been appointed to the charge of the district of Matelle, and the highest titular honour in the power of the Government to bestow had been promised to him. He is now in prison at Kandy; the whole of his large property has been sequestered, and

* See Correspondence on attempted rebellion of 1843, at p. 348, Appendix to this Paper.

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will probably be finally confiscated. But it is not certain that there may be distinct evidence of his direct participation in the revolt sufficiently strong to lead to his conviction.

31. If such prove to be the fact with regard to this individual, we may well ask, who among the chiefs and native headmen can the Government trust? In fact, I am daily more and more convinced that a new organization of our whole system must soon be commenced: an almost herculean task.

32. That your Lordship may be in possession of the fullest information as to the means which have been adopted to afford protection to the people, I have solicited from the Major-General Commanding a copy of the latest return of the distribution of the troops, to which I would beg to draw your Lordship's attention.

33. The latest reports from various stations in the maritime districts are all favourable. In some places the people were alarmed by uncertain rumours which were spread among them, with regard to the expected descent of the Kandians towards the sea coast. But the presence of a few soldiers or Malay pensioners, wherever they could be spared, served to re-assure the timid, and to prevent them from leaving their villages to retire to the jungle.

34. The attempts emanating from Colombo to excite discontent in some other places have been generally quite unsuccessful, although the influence of the headmen over the people might be sufficient to unsettle their minds and lead them into mischief without understanding the merits of the questions put before them. I become daily more convinced that a vigorous hand must be held over the Singhalese population of this island in all parts, and that, although they are generally a tractable and timid race, they should be made to feel the direct authority of the Government to be at all times superior to the petty tyranny and thralldom of their headmen, who are the unpaid and little dependent servants of Government, too numerous to be effective, and too prejudiced to be trusted.

35. Under the more tranquil aspect of affairs which I have now detailed, I have already felt myself justified (after consulting the Major-General and my Executive Council) in reporting to the Governor of Madras that the additional troops which I had requested might be held in readiness would not be immediately required; and I hoped that, if the season continued healthy, and the insurrection spread no further (as I hoped), their presence might be altogether dispensed with. But I shall continue to hold the colonial steamer, "Seaforth," in readiness to proceed again to Madras should unforeseen circumstances arise.

36. I am much concerned, my Lord, at the additional expenditure of money which will be occasioned by the various active measures I have been compelled to adopt. I have endeavoured to exercise the utmost economy which the nature of the operations would permit. It was distinctly intimated to me by Sir Henry Pottinger, that the detachment of the 25th Regiment would draw full batta, and be continued upon the India establishment. Considerable expense will be incurred by the Commissariat Department, and in the hire of bullock-carts and coolies. Other minor expenses will also have been necessarily incurred. Under all circumstances I shall, I fear, be unable to meet the demands upon the Treasury with the immediate funds at my disposal. I have hitherto refrained from applying to the Government of Madras for pecuniary assistance, but I have made a very equitable arrangement with the Oriental Bank here, that, if required, they shall supply me with silver money in such sums as from time to time may be required, not exceeding in the whole 50,000*l.* sterling, to be repaid on or before the 31st of December, with interest not beyond the rate of five per cent. per annum. I have not as yet had occasion to avail myself of this arrangement, but it can scarcely be possible that I can very long defer asking for a loan to a small extent.

37. It is my duty earnestly to request your Lordship's instructions as to the course which I may be authorized to pursue for the provision of funds to meet this extraordinary and unforeseen expenditure. The explosion which has now taken place has been gradually accumulating its force for years past, and must be principally attributed to the policy long pursued with regard to the Kandian people before I arrived in the country.

38. I would only further beg leave to suggest, that as bills on England can now be sold here at a very high premium (from 7 to 10 per cent.), it will be an advantageous moment for me to draw upon the Lords of Her

Majesty's Treasury, should you deem it advisable, to solicit their Lordships' authority for me to adopt (however reluctantly) that expedient in the present emergency.

39. In conclusion, my Lord, I have only further to remark, that the present has been to me a period of unusual anxiety and incessant toil. I feel bound to state that the military authorities and soldiers generally have been actuated by the most energetic and soldier-like spirit. They have started with alacrity to make forced marches on the briefest notice, and I am not aware that any instance whatever of misconduct has occurred. The soldiers of the Ceylon Rifle Regiment have proved themselves particularly well adapted for the peculiar service which has been required from them in a country such as this; they have behaved bravely and steadily on all occasions.

40. I have been ably seconded and supported on every occasion by the advice and assistance of Major-General Smelt, and have had much reason to admire the soldier-like spirit, active energy, and clear and correct judgment of Lieutenant-Colonel Drought of the 15th Regiment, who has retained the command of the Kandian districts during the whole of this period.

41. I am unwilling to pass over this opportunity of mentioning the advantage which was derived from the presence at Kandy of Sir Herbert Maddock, the Secretary to the Government of India, who readily afforded the benefit of his advice and long experience in the East to the authorities on the spot. My thanks are due to him, but I regret to say that his own estate has suffered much.

42. Sir Emerson Tennent proceeded to Kandy on the 11th instant, and it is my intention to visit it in person myself on the 16th, immediately after the mail is dispatched. I hope to be able to concert such measures as will ensure the restoration of tranquillity, and tend to induce the people without fear to return to their ordinary and peaceful avocations.

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed)

TORRINGTON.

Enclosure 1 in No. 22.

Encl 1 in No. 22.

DEAR SIR,

Kandy, June 29, 1848

I HEREWITH forward translation of a report received from one of the sergeants of police whom I sent out to Upper Dumbera, (Nugalliadde Koralle,) at the direction of Mr. Buller.

The sergeant states that there is a talk around the country of a certain person going about pretending himself to be a prince, or some high authority, exciting the common people to acts of insubordination. This individual, I understand, was a few days ago seen at Four Korles, in the district of Kaigalle, and is now going to Badulla, in order to proceed to Katregamme Temple; to these reports I assure you that no credit can be given, being fully aware of the disposition of Kandyans in uttering falsehoods.

But, however, it is not to be doubted that there are evil-disposed persons amongst them who, by false reports, &c., are able to stir up others to commit a disturbance; but I am quite confident that no serious disturbance or insurrection will take place.

I however consider it necessary to inform these matters to his Excellency the Governor, through you, in a private manner, as there is no means of doing so officially, the information received being without any grounds. In doing so I must state that the Kandyans of this province seem greatly dissatisfied of the money that is now levied on guns, &c.

I also beg to state that the priests and the people, who are going out on pilgrimage at this time of the year, are the causers of these disturbances. These deluded country people, who accompany the priests in order to consult on political affairs, are always told, to amuse them, that a person of great power will come to the Kandyan country to upset the British Government, &c., on the hearing of which they proclaim the same to the country people as a matter of great consequence.

This I have known from experience as a practice amongst the Kandyans, especially about this time of the year.

W. D. Bernard, Esq., Colombo.

I remain, &c.,
(Signed) D. L. BANDA.

Enclosure 2 in No. 22.

Encl. 2 in No. 22.

SIR,

Kaigalle, July 23, 1848.

KNOWING that it is a part of my duty to inform you what I hear, although it is not on good authority, yet there is reason to believe there is a Pretender to the Kandian throne now

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concealed in the jungle at Matelle, or in the neighbourhood of Dambool, collecting arms and ammunition (aided and assisted by Kandian chiefs and others, who by the recent ordinances of Government, upon the subject of taxes, have become discontented) to carry on war; they intend to divide the large body of people they have there into two parties, one party, to whom the Seven Corles people are to join, to rush down at once to Kurnegalle, and then to go to Kandy by Kaigalle, plundering the country; and the other party, to whom the people of Matelle and Dumbere, &c., are to join, to rush down to Kandy; the two parties to meet at Kandy on the night of next full moon day, the 15th of August next, at Perehare. I do not know how far this report can be believed, but I beg inquiry to be made from Mr. Buller and Mr. Waring as regards the truth of it; in case of any truth of this, I would recommend at least a few Malays may be applied for to be stationed at Kaigalle for a few days.

Having understood a Malabar vagrant intended to come to my district yesterday by Seven Corles, I took about 50 men and went in search of him; hearing that I was in the vicinity, he came to the borders of my district, and returned back to Seven Corles. This man is the eldest brother of the supposed Pretender.

I have, &c.,

The Assistant Government Agent, Kaigalle.

(Signed) D. DAVID,
R. M. of Belligal Korle.

P.S. I will make further and strict inquiry into this matter, and report it to you.

(Signed) D. D.

Encl. 3 in No. 22.

Enclosure 3 in No. 22.

DEAR SIR,

Kandy, July 25, 1848.

SEVERAL reports were this morning sent to Kandy, both to me as well as the Government Agent, stating that a great number of people are assembled with swords and fire-arms at Matelle, between Dambool and Nalande, for the purpose of creating alarm.

That after some consultation with the Government Agent, and the District Judge just now, we have come to the resolution of keeping quite quiet about it until they (the mob assembled) would commit some disturbance, so as to enable the authorities to bring them to justice.

As I have already observed, in my former correspondence, it is so now, my humble opinion, that one-half of these reports are unfounded; however, it would be advisable that we be always on the look out, as I have reason to believe that some prisoners, who were either acquitted, or absconded from the public gaols, are, by joining with some low country Cingalese and desperate Kandyans, now disturbing the villagers.

I remain, &c.,

W. D. Bernard, Esq., Colombo.

(Signed) D. L. BANDAR.

Encl. 4 in No. 22.

Enclosure 4 in No. 22.

SIR,

Government Agent's Office, Kandy,
July 28, 1848.

I HAVE the honour to report for his Excellency's information, that during Thursday night many reports were received by me from various parties, among others from Dulceve Maha Nilleme, and from the two Rattamahatmeyas of the Northern and Eastern Divisions of Matelle, and from the police magistrate of that station, to the effect that the people were gathering in great numbers, and armed with guns, swords, and spears.

Early this morning I conferred with the Commandant, laying before him the intelligence which had reached me. The issue of our consultation was, that it would be desirable for me in the first instance to proceed to Matelle, and ascertain by personal inquiry and inspection the real state of affairs before any troops were ordered to proceed to the disturbed district. The Commandant moreover suggested, that Captain Lillie, the staff officer, should accompany me in order to make arrangements for the accommodation and provisioning of the troops, should it eventually appear necessary to march them towards Matelle.

I accordingly proceeded, accompanied by Captain Lillie, at 11 o'clock this morning towards Matelle. On our way we met many residents of Matelle flying in alarm into Kandy. About six miles from Matelle we encountered Mr. Waring, the police magistrate of the district, hastening into Kandy, having remained at Matelle until the armed rabble had begun to enter the town, when having no force but a few policemen to aid him, the superintendent of police, and all the headmen having quitted the place, he considered it utterly useless to remain there any longer. Mr. Waring informed me that about 12 o'clock this day the rabble entered the town of Matelle, beating tom-toms, blowing horns, and armed with guns, spears, and swords; that shortly after he had left Matelle, he met with a Mr. MacFarlane going into the bazaar, as he said, to see what the commotion was. This gentleman very soon returned and informed him, that he had seen the mob in the act of battering down the doors and windows of the Rest House, and that he considered it advisable for his own safety to proceed with Mr. Waring into Kandy. I should mention that on the previous day Mr. Waring had induced a Mr.

Clark, a gentleman from an estate in the neighbourhood, to proceed to the spot where the rabble were collected, who reported that having approached very closely as near as he judged consistent with his personal safety, he estimated the number of people then visible to him at about 4000 men, armed as stated by Mr. Waring.

This intelligence was fully borne out by the information I received this morning from a respectable native, who at my request had gone among the body of people. After the information thus communicated by the police magistrate of Matelle, I thought it proper to return without delay to Kandy, and to intimate to the Commandant the intelligence, and to state that in my opinion the military should be held in a state of preparation for immediate service. I then called together the several justices of the peace, and individuals mentioned in the accompanying document marked A. Finding my own judgment fortified by their unanimous opinion, I accordingly transmitted the document marked A to the Commandant. The Commandant has apprized me that 100 men of Her Majesty's 15th Regiment, and 100 of the Rifles, will march from Kandy at 8 o'clock this evening. I am now preparing, together with the Deputy Queen's Advocate, to accompany the troops.

I should add, that the first step I took this morning was to dispatch all the available police constable to Matelle, and increased the force in Kandy by 50 additional constables. The police magistrate of Kandy is now employed in swearing in the special constables.

I shall from time to time dispatch reports to the assistant agent Mr. Morphew, who has my instructions to forward them to you immediately.

I have, &c.,

(Signed) C. R. BULLER, Agent.

The Hon. the Colonial Secretary, Colombo.

(A.)

Present :—

C. R. Buller, Esq., Government Agent and Justice of the Peace of Ceylon.

The Rev. S. O. Glenie.

S. Hanna, Esq., Police Magistrate and Justice of the Peace.

E. S. Waring, Esq., ditto, ditto.

C. Stewart, Esq., Deputy Queen's Advocate and Justice of the Peace.

J. Morphew, Esq., Acting Assistant Agent and Justice of the Peace.

Mr. Buller and Mr. Waring having returned from the Matelle district, the latter having represented that the town of Matelle has been taken by a body of Kandians armed with swords, guns, and spears, amounting to about 4000, and that he was compelled in consequence to fall back on Kandy, it was unanimously resolved that the Commandant should be requested to send with as little delay as possible such a force as may appear to him sufficient to disperse the rabble.

(Signed)

C. R. BULLER.

S. O. GLENIE.

S. HANNA.

E. S. WARING.

CHARLES STEWART.

J. MORPHEW.

Note.—At the time that Mr. Waring left Matelle, the armed rabble were engaged in battering down the Matelle Rest House.

It is commonly reported that this rabble are in open rebellion, having proclaimed an individual king of Kandy, and called upon all to obey his orders.

The Government Agent and the Deputy Queen's Advocate will accompany the troops.

(Signed)

C. R. BULLER, Government Agent.

Government Agent's Office, Kandy, July 28, 1848.

Col. Drought, Commandant, Kandy.

Enclosure 5 in No. 22.

Encl. 5 in No. 22.

MY LORD,

Kandy, July 30, 1848,

6 o'clock, P. M.

I HAVE the honour to enclose Captain Lillie's report of operations, while in command of a detachment of troops which I intrusted to his charge against a large body of insurgents who had risen in rebellion, and possessed themselves of the town of Matelle. It appears that his march on that place has been attended with complete and entire success. Within a mile of the town he was met and opposed by the insurgents, and, after being fired on, he ordered his men to attack, which terminated in the insurgents having 8 killed, several wounded, and upwards of 40 taken prisoners, amongst whom there is a chief; this had the effect of com-

2 A

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pletely routing and dispersing not only those that opposed the troops, but the entire of those assembled.

Captain Lillie reports to me, that nothing could exceed the excellent conduct of every individual under his command, which was composed of 1 captain, 2 subalterns, 4 sergeants, 1 bugler, and 100 rank and file of Her Majesty's 15th Regiment; and 1 captain, 4 subalterns, 4 sergeants, 2 buglers, and 100 rank and file of the Ceylon Rifle Regiment. I am happy to say that the troops suffered no loss, having only 1 private of the 15th Regiment wounded.

I shall now take the liberty of referring your Lordship to Captain Lillie's Report, who, I beg leave to assure your Excellency, has conducted the affair most judiciously, and to my entire satisfaction.

Captain Watson, with the entire of the detachment of the Ceylon Rifles, remains stationed at Matelle; the detachment of the 15th are now on their return here, in charge of the prisoners, who, having been captured previous to the issuing of the proclamation placing the Kandyan District under martial law, cannot, I presume be proceeded against by court martial. I am inclined to hope that this early success over several thousands will have the effect of keeping other ill-disposed persons from mischief.

I feel satisfied that your Lordship will be gratified at hearing that all the reports which I have received throughout this day are most satisfactory, as to the peace and tranquillity of the surrounding country. Kornegalle I have not yet heard from since the detachment marched from here for that place. I cannot close this despatch without acquainting your Excellency that I have received the most gratifying proofs of loyalty from very many individuals, who have offered their services in any way that I deemed desirable to employ them.

I have, &c.,

His Excellency Viscount Torrington,
&c. &c. &c.

(Signed) J. A. DROUGHT,
Lieut.-Colonel, 15th Regiment, Commandant.

Encl. 6 in No. 22.

Enclosure 6 in No. 22.

MY DEAR COLONEL,

Kandy, July 31, 1848, at 3 o'clock.

As my report to you of yesterday was hastily written, under the circumstances and in some respects not altogether accurate, I avail myself of the first moment after my return here to give you a more detailed account of the operations of the detachment under my command.

We marched, as you are aware, at 10 o'clock p.m., on the 28th. In consequence of the detention in crossing the Bandies with the provisions, &c., over the river, it was half-past 12 o'clock before I was enabled to march from the other side. There were no persons to be met with on the road, as not an individual appeared. About 9½ miles from hence a shot was fired within a few yards of the troops, but no one was hit. I have, however, to remark that it was pitch dark, with a drizzling rain, until the day broke, at the Rest House of Ballacada. Half a mile further on two more shots were fired close in rear of it, but as, from where they were fired, I think they were merely intended to give warning of the approach of the troops, as they could not, from the position they were fired, hit any of the men. Half way down the pass a shot was fired from a gingall gun, I conclude from the report, as it was some distance off: this was with the same object—a signal. Soon after daylight, and a mile from Matella, being with the advanced guard, I saw some natives armed on the road leading to Wariapoola, and some on the side of the Matelle-road, close in my front. As I approached them those next me seemed disposed for a parley, and I went up to them without any molestation, and left some of my party to look after them, and went for Mr. Buller, the Government Agent, who was close in my rear. I told him of the circumstances, and he came with me; and we went to the natives, who seemed to command the party. I then asked for his instructions how to act, and I was directed to make them prisoners. When they perceived a party moving on their flank, which I had ordered to get in their rear, they made an attempt to escape, but almost all those in front were secured. When this was perceived by the insurgents in the jungle on a hill, from 200 to 300 yards distant, they commenced firing, and the balls were hitting the trees about, and one man of the 15th Regiment was slightly wounded. I then ordered the Rifles under Captain Watson to enter the jungle on their flank, and to endeavour to intercept them. They soon came up with a party, and a conflict ensued, in which the rebels were completely routed, with loss of six killed and several wounded; eight of the latter were made prisoners. I kept the 15th Regiment in reserve on the high road. When the jungle was completely cleared, and the Rifles had returned, I was informed that a large party of the insurgents had taken possession of the bungalow of the Wariapoola estate. I determined at once to march with the Rifles, to attack them. It is about a mile and a half from the high road. Here Mr. Adams, a volunteer civilian, offered to act as guide. Just as we got close to the house, we saw the natives running from it, and I made a rush forward with the men in front. During our advance we were fired at by some of the insurgents in the adjoining jungle on its flank; but, I am glad to say, without any casualty on our part. Three of the natives were shot at this bungalow, one attempting to make his escape from the window of the up-stairs floor. Here we found the palanquin of the Pretender, which the Rifles broke into pieces before I could save it. We captured 30 lbs. of gunpowder. Here I found Mr. Baker, the Superintendent, tied by the legs and arms to the verandah railing, and suffering great torture from the tightness of the ropes and his position. I had him released from his bands; his skin was quite discoloured.

He was removed with the party to Matelle, where he received medical assistance from Dr. Ramtant of the Rifles. After dispersing the insurgents in this locality, I marched the whole party with the prisoners to Matelle, which I reached before nine o'clock A.M.

Here I am concerned to say we found Mr. Waring's house and the Rest House completely plundered, and all the furniture broken into pieces; the doors and windows treated in the same manner. The bazaar was also being much plundered, and almost all the natives had abandoned it, and went into the jungle; but they soon returned when they ascertained that we were in possession of the town.

I cannot close this Report without bringing to your notice the admirable good conduct of both of the detachments; there was not a man, European or Malay, either absent or drunk. Captain Watson, of the Rifles, is entitled to my especial thanks for the gallant manner he led his men through the jungle and drove out the natives. He seized one of the first of the insurgents captured in the skirmish, when they first made a stand; at this time one of them made rush with a spear at Lieut. Rutherford, which he parried with his sword; the man was killed immediately after by a rifleman who was close to Lieut. Rutherford. From the circumstance of my keeping the 15th Regiment in reserve, they had no opportunity except at the outset of taking any part in the brush, although most anxious to be in the front. They are entitled to my notice from their steady and soldier-like conduct while under my short command. Mr. Adams, who I have already mentioned, afforded me very valuable assistance; he was under fire from first to last, and in front with the skirmishers, and, from his knowledge of the locality, was most useful. I am disposed to think that the lesson the insurgents received yesterday will have the effect of quelling the rebellion in the Matelle District. As far as I can judge, the well-disposed have gained confidence, and the reports from the vicinity state that the insurgents are dispersing and abandoning the pretender. So quiet did I find things, that I have ordered the company of the 15th Regiment to join head-quarters, and they will be in Kandy this afternoon with the prisoners and captured arms. I have left the Rifles to hold Matelle, which I consider quite sufficient for this purpose, now that the loyal subjects are offering their support. I shall be most happy that this may prove to be the result of my expedition.

Yours, &c.,

(Signed) T. LILLIE, S. O. and Capt. C. R. Reg.

Enclosure 7 in No. 22.

Encl. 7 in No. 22.

Matelle, July 29, 1848, 10 o'clock.

HAVING left Kandy at 10 o'clock with the Deputy Queen's Advocate and Deputy Fiscal, I joined the troops at the seventh mile post. We halted at Ballegadurve for about fifteen minutes, and proceeded on without molestation as far as Warrapolle, about one mile from Matelle, where it was found that about 100 Kandians were on the road standing on the defence armed with guns. Immediately I and Mr. Stewart consulted with Captain Lillie, when it was determined to capture them. A number of them were surrounded, and about 60 guns and several swords were seized, all loaded with ball, slug, and shot: it was then considered desirable that the Malays should go a little way into the jungle, and ascertain what number were secreted further in the jungle; on going in they were immediately attacked, when a sharp firing was kept up for some time between the Kandians and the Rifles, and part of the 15th then went in and several men were taken prisoners, and altogether the number amounts to 43; the casualties are eight Kandians killed, and one of the soldiers wounded in the thigh with a ball, but not very severely.

On reaching the Rest House at Matelle a scene presented itself which I have never witnessed before: the rabble had in the most wanton manner destroyed every particle of furniture, and smashed all the crockery and bottles, and tore to pieces every book and paper they could lay hands on. Mr. Waring's house is completely ransacked also; the ebony couches, books, and every article, completely smashed and rendered wholly useless. The iron chest is also broken in, and the two iron safes, one of which I understand contained stamps, and the other private property of Mr. Waring, were broken in. The Court House Records are also completely demolished; and even the poor bazaar people have not been allowed to escape, but have suffered as much as the other public buildings and property. The person that has been crowned is David, a man of Harrispattoo, brother to Denis, and there is now ample evidence against him should he be apprehended; and I beg to recommend that a reward of 50% be offered for his capture. Poorang Appoo also is amongst the gang, and the bazaar has been shown me which he was active in pillaging.

Just now Mr. Forbes and Mr. Hutchison have come in, who had to pass by the rabble; they saw upwards of 100, and there were many more in the neighbourhood; they had their horses taken from them, but were again restored to them. They state that there is a large crowd of Kandians about a mile from Matelle, and that when their horses were mastered they referred the matter to the king. They state that the people were about to attack the estate of Sallegame, about twelve miles from this: the people were armed with swords, spears, and muskets.

All the troops have behaved admirably; thanks are especially due to Mr. Adams for his exertions and the valuable information he gave in showing the road to the military, which

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enabled them to intercept the rabble. A Mr. Baker was found tied up to the post of the verandah at the Warrapolle estate, and his wife and a Miss Robbe have been taken away by the rabble and have not been heard of; the poor man has also been wounded by a sword. Mr. Robbe and his wife have not been heard of, and it is unknown whether they are alive or not. Mr. Grant has just come in and reported that the following estates, about four miles from Matelle, have had their bungalows ransacked:—

Macculoowe estate,
Maddewille estate,
Asgirea estate, and Nickettenne.

Along the road we picked up at various places parts of the missing Tappal.

There is ample evidence against the men, as the most of them were seized with guns in their hands, and many of them can be identified as the parties who were active in the destruction of the property in Matelle. All the furniture being broken, I am obliged to prop up a table to write on. Having been up all last night, and the greater part of the previous one also, I am unable to add more at present. It is much to be regretted that the troops are too tired to proceed at once after the rest of the rabble, but it would be too much to expect from them, as they have been nearly twenty-four hours now under arms. The number of the rabble in one part is calculated at about 500 or 600; the rest are now much scattered, and I trust will not return to their comrades after the reception they have met with, which I trust may be a salutary warning to them.

The Dewe Nilleme has not as yet made his appearance, but he is said to be in his house at the Asgiria Korle.

The prisoners are chiefly from Wagapanaha Korle, Asgiria Korle, and Matelle Korle. Several of them are severely wounded. For some time it would be desirable that a company of the Rifles should be stationed down here, both as a protection to the people and to capture the ringleaders of the rebels.

(Signed)

C. R. BULLER, Agent.

Encl. 8 in No. 22.

Enclosure 8 in No. 22.

SIR,

Queen's House, Colombo, July 29, 1848.

1 Wing European
regiment.
600 native infantry.

IT is with regret that I have the honour to inform you that serious disturbances, amounting to rebellion, have taken place in the Kandian district of this colony, which may render it necessary, in consequence of the very small military force at present in the island, to call upon your Excellency's Government for a reinforcement of troops to the amount of about one wing of an European regiment, and 600 native infantry, which I shall feel extremely obliged by your holding in readiness in case of their services being required, of which I will give your Excellency due notice by the colonial steamer attached to this Government.

On reflection, I consider it advisable, in conjunction with my Council, to request your Excellency to send by the "Lady Mary Wood," which carries this letter, two or three companies of infantry, either European or native, whatever may be most convenient.

I have, &c.,

(Signed)

TORRINGTON.

To His Excellency the Right Hon. Sir H. Pottinger, Bart., G.C.B.

Encl. 9 in No. 22.

Enclosure 9 in No. 22.

MY LORD,

Fort St. George, August 2, 1848.

WE have the honour to acknowledge the receipt this morning of your Excellency's confidential Despatch by the "Lady Mary Wood," dated 29th July.

Three companies of Her Majesty's 25th Regiment will embark to-morrow morning for Trincomalee, supplied with 300 rounds of ammunition, in addition to that in their pouches, and their camp equipage.

Two more companies, making, with the above, one wing of Her Majesty's 25th Regiment, and a regiment of native infantry, of about 600 effective privates, have been ordered to be held in readiness for immediate embarkation if required.

The officer commanding Her Majesty's 25th Regiment has been informed that the detachment will continue to be paid as on the Indian establishment.

We have, &c.,

His Excellency the Right Hon.
the Governor of Ceylon,
&c. &c.

(Signed)

HENRY POTTINGER.
D. ELIOTT.

Enclosure 11 in No. 22.

CEYLON.

In the name of Her Majesty VICTORIA, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

PROCLAMATION.

By his Excellency the Right Honourable Viscount TORRINGTON, Knight Grand Cross of the Order of Ernestine of Saxony, Governor and Commander-in-Chief in and over the British Settlements and Territories in the Island of Ceylon, with the Dependencies thereof.

TORRINGTON.

WHEREAS information has been received that a body of disaffected Kandians, armed with guns, spears, and other offensive weapons, have entered the town of Matelle, and when the latest intelligence was received from that place, had commenced the demolition of the public buildings; and that they have proclaimed some person unknown to us to be king of Kandy, calling upon the people to obey the orders of the said pretended king. And whereas it is necessary that the said rebellion should be promptly suppressed, and that the most energetic measures should be resorted to for the protection of Her Majesty's loyal subjects, and the restoration of the public peace. Now, therefore, by virtue of the powers and authority in us vested, we do hereby proclaim and declare the district of Kandy within the central province to be in a disturbed state, and that from and after the publication therein of this our Proclamation, martial law shall be in force within the said district until further orders. And we do hereby call upon all Her Majesty's loyal subjects to remain peaceably in their respective homes, and on no account to join themselves to the said rebels; but to aid and assist Her Majesty's armed force in the suppression of the said rebellion. And we do hereby further proclaim and make known to all the well-disposed inhabitants of this island, that we shall at all times be anxious to give the fullest consideration to any representations made by them to us in a quiet and orderly manner, for the redress of any real or supposed grievance, and to make known to Her Majesty the wishes and feelings of her loyal subjects in respect thereof.

Given at the Queen's House at Colombo this Twenty-ninth day of July, One thousand eight hundred and forty-eight.

By his Excellency's Command.

W. MORRIS, Acting Assistant Colonial Secretary.

God save the Queen!

Enclosure 12 in No. 22.

Encl. 12 in No. 22.

In the name of Her Majesty VICTORIA, of the United Kingdom of Great Britain and Ireland, Queen Defender of the Faith.

PROCLAMATION.

By his Excellency the Right Honourable Viscount TORRINGTON, Knight Grand Cross of the Order of Ernestine of Saxony, Governor and Commander-in-Chief in and over the British Settlements and Territories in the Island of Ceylon, with the Dependencies thereof.

TORRINGTON.

WHEREAS a number of evil-disposed persons in the district of Kandy have assembled themselves together with arms for the purpose of disturbing the public peace, and pillaging the peaceable inhabitants; and in order to deceive and mislead the ignorant, have proceeded to set up a person calling himself the king of Kandy. Now, therefore, we the said Governor do hereby offer a reward of One hundred pounds to any person or persons who shall give such information as shall lead to the apprehension of the said pretended king.

Given at the Queen's House at Colombo this Thirtieth day of July, One thousand eight hundred and forty-eight.

By his Excellency's Command.

W. MORRIS, Acting Assistant Colonial Secretary.

God save the Queen!

Enclosure 13 in No. 22.

Encl. 13 in No. 22.

SIR,

Government Agent's Office, Kandy,
July 31, 1848.

I HAVE the honour to state that, as far as I can ascertain, the measures adopted have been so far successful, that many of the followers of the pretender have dispersed, and others who have been chiefly implicated in the disturbance, have returned to their districts, and are now concealing themselves in the jungles for fear of being apprehended; and I have now every

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hope that quiet will soon be restored ; it will, *however*, be necessary for some time to guard against the villagers in the neighbourhood of estates taking advantage of the unprotected state of the planters, and as far as possible to aid them. I have purchased 120 cutlasses to be issued to them by the police in such numbers as they can find use for ; and, previous to leaving Matelle, I strongly urged on them the necessity for keeping as much together as possible, and that they should not move about in smaller parties than eight or ten, and that they should arm such of their canganies and labourers as they could depend on for support, and on no account to abandon their estates. This they undertook to do if I could supply them with swords ; consequently my first endeavour after my return was to procure them, and I happily succeeded. I have also sent a force of 15 constables to Matelle, for the purpose of recovering property stolen from the planters and other residents there ; and, as soon as they can be obtained, it is my intention to send 15 more to effect the same object. Mr. Hanna, Mr. Hunter, and some other gentlemen have, I understand, gone to Matelle with this view.

Mr. Waring also returned this day to his station.

The pretender is reported to have escaped to some caves beyond Hunasgeria, accompanied by but a single follower, Doretiagalla, of Ukkuwalla, and as I have now two or three parties on his track, urged by the hope of reward and promotion, I have great hope of his speedy capture.

There is a general impression that the Dullawe Dewi Nillemme has been acting a double part, but I am loath to believe this ; and, indeed, I have evidence from a party who is on anything but good terms with him, that he made an attempt to seize the pretender with about a hundred of his own people, but finding him too strongly guarded, being surrounded by a crowd of about 2000, he retreated into the jungle, and his small party deserted him. It is very possible that the report that has been circulated, that he was offered not only the highest office in the Government, but even the rank of king, might be founded on fact ; but it is said, and I dare say with equal truth, that he declined the proffered honour. With regard to Golehelle Rattamahatmeya, my suspicions of him are very strongly raised, as most of his tenants were attached to the pretender's party, also several of his relations ; and he has been not only very inattentive to orders sent him, but deceived me by reporting that he was at Dambool as directed, whereas I have since learnt that he never left his own house ; with the enormous possessions that he has in that part, I cannot but believe that he could, had he chosen to exert that influence which he undoubtedly holds over his numerous tenantry, without any difficulty, with the support of the Dewi Nillemme, have seized the pretender, or, at all events, held a check over his party. I would, therefore, recommend that he should be suspended, pending an inquiry into his conduct ; and should the evidence not be so conclusive against him, as I imagine it will, he can be reinstated. I have called upon the several Rattamahatmeyas to report the names of all the headmen who are absent from their villages without being able to show satisfactory cause for it, and have intimated to them that they will be dismissed, and their property confiscated. They have further been instructed to report to me the state of their division every second day.

It is with much pleasure that I report, that those ladies who were supposed to be in the hands of the insurgents, are in safety. Mrs. Baker and child were, I understand, greatly indebted to the kindness of a low country native, called Bopey Godde Andries, who conducted them after their escape to the Kandenuwere estate, in charge of Mr. Lakeman, who readily received them ; it is my intention to send for this native and reward him for his humane conduct. The Rest House keeper and his family were also successful in escaping. It is highly probable that the deserters from the man-of-war at Trincomalee have fallen into the hands of the rabble, as I received no tidings of them.

The Trincomalee mails have not yet arrived, and it has been just reported to me, that the communication between Ambepusse and Kornegalle has been stopped, and that letters for that station are now lying at the Rest House, at the former place. I have requested the Deputy Postmaster General to give directions to have them forwarded through this.

The prisoners taken at Matelle are safely lodged in the gaol here, and the turbulent ones have been put in irons. Colonel Drought has issued orders for all that are taken to be brought to Kandy, and measures will at once be adopted for their safe custody ; and I have not the slightest apprehension of a rescue being attempted.

Fifty of the military pensioners have already been supplied with arms and ammunition, and have taken their turn of duty since yesterday ; and orders have been sent for the others to repair to Kandy without delay.

I take this opportunity of bringing to the notice of Government that, at my request, Jayetilleke, the Interpreter Modliar of the District Court, joined me at Wariapolle about the commencement of the skirmishing, and that he gave all the assistance in his power, and his having been employed in rebellions in former years rendered him very useful.

It has been considered necessary to take into the charge of the police all the private boats which are on the river, not only to prevent their being made use of for improper purposes, but to have them available for the service of Government if necessary.

I have, &c.,

The Hon. the Colonial Secretary, Colombo.

(Signed)

C. R. BULLER.

Enclosure 14 in No. 22.

CEYLON.

SIR,

Kornegalle, July 30, 1848.

Encl. 14 in No. 22.

I HAVE the honour to acquaint you, that we have had a very serious riot here; just as the people entered on one side, the Ceylon Rifle Detachment came in on the other; but before they could interfere, the Kutcherry and Court-house, and gaol, were all entered into, and everything broken; records destroyed, and scattered all over the place, and would have been burnt.

We have had a skirmish, in which about 10 men of the Kandian party were killed, some wounded, and 19 taken prisoners.

I have applied for another force from Kandy, to keep down any further riot. My headmen, I hear, are nearly all, if not all, implicated in the affair. An Aratchy has been killed.

The treasure has not been touched. Mr. Gibson and myself had to leave as quickly as we could, and were fortunate enough to fall in with the detachment, just a mile off.

Troops are, I hear, on the march from Colombo; if not, please send some as fast as possible. No time is to be lost.

The riot commenced at 8 o'clock this morning.

Yours, &c.,

The Hon. the Colonial Secretary.

(Signed) H. TEMPLER.

Enclosure 15 in No. 22.

Encl. 15 in No. 22.

MY LORD,

Kandy, August 2, 1848, 11 o'clock, P. M.

I HAVE the honour to forward to your Excellency, three reports from Lieut. Annesley, commanding a detachment of the Ceylon Rifle Regiment, occupying the town of Kurnegalle, by which it appears, that notwithstanding his having routed and dispersed the insurgents from thence on the 30th ultimo, with considerable loss to the rebels, they entered the town twice during the afternoon of yesterday, in numbers of about 4000, and were most gallantly repulsed by a sub-division of the detachment under the immediate command of Lieut. Annesley, whose conduct throughout has been above all praise.

I am happy to say, that no casualty has taken place on the part of the detachment.

I have, &c.,

His Excellency Viscount Torrington,
Governor and Commander in Chief.

(Signed) T. A. DROUGHT,
Lt.-Col. commanding the Kandian Provinces.

The number of the killed and wounded of the insurgents were not ascertained when Lieut. Annesley sent off his last despatch.

SIR,

Kornegalle, August 1, 2 o'clock.

I HAVE to inform you, that about 4000 rebels approached our post about 1 o'clock this afternoon, from the Colombo road. I went out with the right sub-division, about 100 yards from my post, and left Second-Lieut. Bovill to protect the Court-house and treasure. I opened a fire upon them; they immediately fled in confusion. There are a few killed and wounded: not a man of ours touched.

There is a report that another body of men are about three miles off, on the Putlam road.

I have, &c.,

To the Commandant Kandy.

(Signed) CHARLES ANNESLEY,
Lieut. Commanding Detachment.

SIR,

Kornegalle, August 1, 1848, 5 o'clock, P. M.

I HAVE the honour to inform you, that the rebels again approached my post at 3 o'clock this afternoon, from the Colombo road. I went out with the right sub-division, and drove them over a bridge about a mile from this. They would not allow us within gun-shot, but made a great noise, and fired upon us several times without effect.

To the Commandant, Kandy.

(Signed) CHARLES ANNESLEY,
Lieut. Commanding Detachment Ceylon Rifles.

Enclosure 16 in No. 22.

Encl. 16 in No. 22.

BY HIS EXCELLENCY THE GOVERNOR.

AN ADDRESS to all the Native Singalese Inhabitants, and especially to those who reside in the Central Province and the adjacent Korles.

You well know that Her Majesty the Queen appointed me to administer the Government of this country; to enforce obedience to the laws which have been enacted for the benefit of all classes of the inhabitants, and to afford protection to the well-disposed and industrious

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people. You well know (though some of you may have been wrongly taught to forget for a little while) the many benefits which you have acquired through the mildness, the justice, and the impartial protection of the British Government.

Has not your property been respected and your wealth become increased? Have not your families been protected and your children instructed? Have you been cruelly oppressed or unjustly punished? You know the truth and you can answer for yourselves.

Why then have some of you followed evil counsellors, and violated the laws? Many have already suffered severely for their treachery and violence: and I tell you that many more will be severely punished if they do not remain peaceably in their homes, and obey the laws. Robbers have gone abroad destroying the property of innocent and harmless people, and spreading fear among the defenceless inhabitants; their crimes must be severely punished, and I will use all the power which is intrusted to me to bring the offenders to justice, and to protect the innocent.

But there are many good and honest men, to whom these evil-doings are hateful; many have already done good service to Government, and have gladly aided the authorities in preserving the public peace and in bringing the offenders to justice. To all of these, and to all the chiefs and headmen who have proved themselves good and faithful subjects, and have rendered assistance to Government for the preservation of peace, and the protection of innocent people, I give my best thanks. You have deserved well of the Government, and of your fellow-countrymen; you will reap your reward.

I call upon all such good men as I have spoken of, to continue their efforts for the public good: I call upon you to endeavour to trace out the offenders, and to give such information to the officers of the Government as may enable them to seize and to bring to justice the wicked men who go about deceiving the minds of the people and leading them, through ignorance, to commit crimes. I promise you that those good men who give useful information to Government which shall lead to the detection and apprehension of evil-doers, shall receive full rewards in proportion to the value of the assistance which they give. My word is true.

But you also know that in some districts martial law has been proclaimed, and that immediate and severe punishment will be inflicted upon all those who collect together in numbers with arms in their hands, or who are found committing violence upon unarmed people, or robbing the native villages or the houses of the English inhabitants. No mercy must be shown to them, resistance will be useless, and will only cause severer punishment to follow, for I am determined that the public peace shall be preserved, and innocent people protected.

If you have anything to say to me, or any request to make, I will listen to you hereafter when obedience to the laws has been enforced, and you have returned quietly to your homes. The British Government is a mild and just Government, but it will yield nothing to violent and lawless people. Let such then beware.

I warn you that wherever any headman, or any other person whatever, shall be found openly resisting the Government, and assisting or encouraging others to rebellion, his property shall be confiscated, and the value of it shall be divided among those who have been injured or ruined by the violence of the evil-doers.

But to the quiet and well-disposed inhabitants the utmost protection shall be afforded, their property shall be preserved, and they will be distinguished as good and loyal subjects of Her Majesty the Queen.

Queen's House, Colombo, August 2, 1848.

TORRINGTON.

Encl. 17 in No. 22.

Enclosure 17 in No. 22.

MY LORD,

Kandy, August 5, 1848.

I HAVE the honour to enclose for your Excellency's information, a Report from Major Layard, commanding a detachment of troops at Kornegalle, relative to the capture of the pretender yesterday in that district, calling himself Dingeralle of Hangurankitty, and of his Adigar Calle Banda, late Rattamahatmeya of Oukwelle in the Matelle district.

I despatched Captain Bird, of the Ceylon Rifle Regiment, this morning to Kornegalle in order to ascertain whether some valuable information could not be obtained from the prisoners previous to their being brought to trial before a court martial which I ordered to assemble this day at Kornegalle.

Major Layard informed me, that he forwarded to Colombo, last night, a detailed account of the capture of the rebels in question. I am happy to acquaint your Lordship that all the accounts from every quarter up to this hour are highly favourable.

11 o'clock, P.M.—Captain Bird has just returned from Kornegalle, and reports to me that the court martial assembled, and that the prisoner Dingeralle of Hangurankette was tried, convicted, and sentenced to be shot to death, which sentence was to have been carried into effect at half-past four this afternoon.

The other prisoner, Calle Banda, his Adigar, was held over in consequence of there not having been sufficient evidence to ensure his conviction; further witnesses will be hereafter produced.

I am, &c.,

His Excellency Viscount Torrington,
&c. &c.

(Signed) T. A. DROUGHT,
Lieut.-Colonel Commandant.

After the death, the prisoner was to be suspended from a tree, for a period.

MY LORD,

Kornegalle, August 4, 1848, 6 P.M.

CEYLON.

I HAVE the honour to inform you, that a man assuming the title of King in this district, and calling himself Dingeralle of Hanguranketty-Appoo Hamy Gang Aratchy of Wehenie in this district, Caloo Banda, late Rattamahatmeya of Oukwell, in the Matelle district, and others have this evening been brought into Kornegalle by a party of the Ceylon Rifles, having been apprehended by Doratiawe Rattamahatmeya. Evidence is now being taken against these parties by Mr. T. Gibson, a copy of which will be forwarded by to-morrow's post.

I have, &c.,

His Excellency Viscount Torrington,
Governor and Commander-in-Chief.

(Signed)

W. S. LAYARD,
Major Commanding.

Enclosure 18 in No. 22.

MY DEAR SIR EMERSON,

Maduweletene, August 5, 1848.

Encl. 18 in No. 22.

I HAVE been much gratified by the receipt of your letter conveying to me his Excellency's approval of the steps I have taken to assist the military authorities in putting down the disturbances in Seven Korles. Considering the suddenness of the outbreak, and the large masses engaged in it, it is matter for sincere congratulation that so little injury has been effected by the insurgents. I trust it will not be considered improper for me to add a few remarks on the state of the country hereabouts. Now that all the principal stations are protected by troops, no further apprehensions need be entertained as to any attacks that can be made upon them; but great efforts will require to be made to restore tranquillity before the time for gathering in the coffee crop arrives, and I think that, with energy and decision, this object will be accomplished.

During the whole of these disturbances I have been able to maintain quiet and to keep open the whole line of communication between Kandy and Kornagalle (12 miles of which are through the disturbed district) with a force of 10 Malay pensioners placed at my disposal by the Commandant of Kandy. With this assistance I have also been enabled to visit all the country around me, with the view of ascertaining exactly the state of each particular district. In Tompane everything is perfectly quiet, and none of the people absent from their homes. In Harispattoo, which adjoins Matelle, I find seven or eight people were absent from their villages on the day Matelle was attacked, and returned home the day afterwards. On searching their homes, I found in three of them several articles that must have been plundered from Europeans at Matelle, and I have made prisoners of the people in whose possession I found them. With this trifling exception, I found everything perfectly satisfactory in Harispattoo. The headmen are all at their proper stations, and none of the people are now absent from their villages. The Europeans belonging to the estates on the borders of the Seven Korles are all residing on their plantations, and prepared to protect and defend them against any attacks with their own Malabar coolies. I afterwards proceeded into the Madura Korle, a populous district of the Seven Korles, and here I am sorry to say I found that nearly the whole of the Kandyan male population were absent from their villages, having all joined the insurgents at Kornegalle. The Moor population, of whom there are a considerable number in this district, I found quietly remaining in their villages, and by them I was informed that the pretended king has visited the district twice since the disturbances at Matelle. They say that on Monday, and again on Wednesday, he summoned the people by beat of tom-tom, and got them to go off to attack Kornagalle. The Moors further told me, that all their fire-arms had been taken from them by the Kandyans, who threatened to hang them all on their return if they would not accompany them. There is no doubt that through the whole Madura Corle the pretended king is openly received and supported, both by the people and their headmen, and I have a list of the different Korales and Arachilles who have openly joined him. It now remains to be decided what punishment is justly due to such flagrant rebellion. In a few weeks the people will become tired of making fruitless attacks upon British property, and will be inclined to slink back to their homes; but if they are allowed to do this, and thus escape with impunity, they will be sure to be ready to do the same thing over again whenever any fancied grievance or reckless adventurers can be made use of to incite them to disaffection. There can be no doubt that in abandoning their homes and joining in open rebellion, that their property has become forfeited to Government, and I think it worthy of consideration, whether it would not be expedient to make over their lands and houses to Malabars, who would gladly settle in the district upon any terms Government might desire. This may appear a rash suggestion, and it is only thrown out as a suggestion; but it is absolutely necessary that a heavy punishment of some sort should be inflicted upon all the rebellious. It is true that a great number of them have already been killed, and many more will doubtless suffer the extreme penalty of the law. Still the great mass of them cannot be so punished, and the sufferings of a few will have very little effect upon the others, if they are not all made to suffer individually in their own property. The Seven Korles appears to be the principal seat of the rebels. I cannot procure any certain evidence of the criminality of Camboowattewene, the Ratamahalama, in whom Mr. Morris placed so much confidence, but two of his brothers are actually leaders in the rebellion, and his own house and property are entirely deserted, and it is not known where he is gone to.

I beg to remain, &c.,

(Signed)

W. SIMS.

CEYLON.

Enclosure 19 in No. 22.

Encl. 19 in No. 22. GENERAL DISTRIBUTION of the TROOPS Serving in CEYLON on the 14th August, 1848.¹

	Officers.	Sergeants.	Buglers or Drummers.	Rank and File.
MARITIME PROVINCES.				
Colombo	58	53	32	841
Galle	8	10	3	181
Hambantotte	2	7	..	92
Trincomalee	19	30	7	383
Jaffna	4	6	1	97
Peckham	1	3	1	32
Chilaw	..	1	..	15
INTERIOR PROVINCES.				
Kandy	25	41	11	599
Badulla	4	5	2	91
Neuvere Ellid	4	4	2	95
Matelle	6	8	2	114
Kornegalle.	9	9	3	181
Domberra	3	1	1	40
Peradenid.	1	1	..	14
Ambeposse	1	2	..	40
Kaigalle	1	1	..	24
Anarajapoora	2	2	1	40
Dambool	4	4	3	131
Ratnapoora	2	3	..	30
Rangwelle	1	1	..	20
On march from Dambool to Kandy .	3	5	2	108
	158	197	61	3,168
At Hong Kong and Recruiting Service.	21	49	12	617
Total	187	246	73	3,785

Colombo, 14th August, 1848. (Signed) E. CHARLTON,
Lieut.-Colonel, Deputy Adjutant General.

RETURN of the STRENGTH of the ARMY in CEYLON on the 14th August, 1848, including the two Invalid Companies.

	Officers.	Sergeants.	Drummers or Buglers.	Rank and File.
Strength of the Military Establishment of Ceylon, as given at the foot of the Return, on 1st August, 1848	173	231	68	3,485
Strength of the detachment of Her Majesty's 25th Regiment which arrived at Trincomalee from Madras on the 5th August, 1848	14	15	5	300
Total strength of the military force in Ceylon on 15th August, 1848	187	246	73	3,785

Head Quarters, Colombo, 14th August, 1848.

N.B.—In this return is included the detail of the Ceylon Rifle Regiment at Hong Kong, which forms part of the military establishment of Ceylon.
(Signed) E. CHARLTON,
Lieut.-Colonel, Deputy Adjutant General.

No. 23. (No. 144.)

No. 23.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo, August 14, 1848.

(Received September 25, 1848.)

Answered Oct. 24, 1848, No. 303, page 339.

MY LORD,

By way of illustration of my Despatch, No. 143, of this date, I have now the honour to submit to your Lordship a few remarks respecting the pretender to the throne of Kandy, and with regard to the apparent disposition of many people of that country to rise in insurrection against the existing Govern-

ment, and to support the pretensions of any adventurer who may have the boldness to raise the standard of revolt.

2. The incipient rebellion of 1843,* insignificant as it appears to have been, had at least the advantage of being headed by two pretenders who were of Malabar descent, and claimed some connexion with the royal family of Kandy. I have ascertained from one of their principal followers, a priest, who was condemned to imprisonment for 10 years, and is now in gaol at Colombo, that they really were, or were believed to be, brothers-in-law of the late king by different fathers. The evidence which was taken during the trials at Badulla in 1843, and the confession of the prisoner I have mentioned, go to show that on that occasion the people were almost invariably called together by their aratchies (or literally sergeants), who received their orders from the superior headmen, that the preaching halls of the temples were the usual places of meeting of the adherents of the pretenders, and that the assistance, or at least the countenance of the priests, was necessary, to enable them to maintain their influence.

3. On that occasion, one of the witnesses said, "I was told that a king had come, and I would have believed it if I had been told it was one of the gods." On another occasion the people said, when asked if they would support the king? "We cannot make a king of ourselves, but if a king is sent from the gods, we will do as we are bid." Many of the people also were armed with spears and swords taken from the Dewall temples, and the principal agent of the pretenders was himself a priest, or frequently wore a priest's attire. This man, whose evidence I am quoting, both taken at the time of his conviction and repeated within the last few days while in prison, does not hesitate to say that the Kandian people are at all times ready for rebellion against the British Government,—that the chiefs are universally disaffected,—that a false king could easily be set up,—and that attempts had more than once been made without effect to gain over the Malay soldiers. "If," said this man, "you wish to remain masters of Kandy, you should place cannon at the four entrances to the town, with a guard of English soldiers; call in all the fire-arms which the Kandians possess, prohibit the sale of gunpowder and flints, and lastly, never trust a Kandian of any kind."

4. Now it is a circumstance worthy of remark, that the two Malabar pretenders have not been heard of since 1843, and the two men who have been lately set up as pretenders are not Malabars, but low country Singhalese. But according to all received authorities, the royal dynasty of Kandy were of pure Malabar descent, and hitherto the Kandians have apparently despised the low country people generally, and still less would they be disposed to set up a low country Singhalese to rule over them. From this circumstance, and from some others which I could mention, I am disposed to think that the setting up a "king" is at the present time intended merely as the sign or signal of revolt, just as they might set up a golden cow or any other symbol of authority, not for the sake of the individual so elected, but in the hope of establishing upon his downfall the independent authority of the chiefs and priest who are impatient of any superior control.

5. The rebel of 1843, who is now here in gaol, when asked a few days ago what the Kandian chiefs deserved, or why they rebelled, candidly said, "Formerly they could do as they liked, they could punish or kill their people if they choose, but now they are prevented from doing so, their authority is gone, yet the people are ready to follow them wherever they are told to go. Many of them are so stupid they don't know what they want."

6. I can have little hesitation in attributing the present feeling of the priests to the measures which have been so often and so strenuously urged within the last few years, to depress, or what is the same thing, to withdraw all countenance from the Buddhist religion, or perhaps rather the superintendence of their affairs, and the appointment of lay managers of their Dewales equally with the priestly heads of their Wihares. They are utterly unable to undertake the sole guidance of affairs so complicated, and requiring in many respects the sanction of legal authority. I would beg to invite your Lordship's attention to the accompanying statement voluntarily made by the head priest of the temple at Dambool, who gave himself up at Kandy a few days ago. He is an old man of 70 years of age, and has borne a good character. He states that he was

1.

* See Correspondence on the attempted rebellion of 1843, at page 348, Appendix to this paper.

CEYLON.

forcibly compelled to officiate at the ceremony of installing the present pretender as king at Dambool. The first question he was asked when brought before the intended king was, "Are you attached to the religion of Budhoo, or to the British Government?" As if to imply that there was a degree of antagonism between them that rendered them inconsistent the one with the other.

2.

3.

7. I also forward extracts from the translations of two Singhalese letters, one of them written by a native who is acting as the head of the police at Kandy. It likewise describes the ceremony of the installation of the pretender; and particularly states that the rebellion is not of recent date, and that is unconnected with the promulgation of the ordinances. In reality the road ordinance does not come into active operation until next year, and the ordinance for registering fire-arms only took effect from the 1st June last; and within the short period of five or six weeks it is highly improbable that a rebellion could be organized, above all, in a mountainous country, where communication is slow and difficult.

4.

Another extract from a letter written by a respectable native who was in former days chief modliar of the then residency at Kandy, distinctly attributes the rising to disaffection created by the bearing of the British Government towards the Kandians with respect to their religion, which they conceive to be a violation of the treaty of 1815.

5.

I also enclose the translation of an old or native proclamation which was brought to the assistant agent of the Four Korles, as having been found in his district. It professes to convey the king's commands, and distinctly accuses the British Government of an intention to destroy the great temple of Kandy.

6.

8. Another proclamation (of which I enclose a translation) was transmitted to a district to the north of Dambool. It states that the pretender was installed on the 12th July, and orders the authorities to block up the roads, but makes no mention either of the ordinances or of the Buddhist religion. In fact, I have every reason to believe, judging both from public documents and from private letters, of which I have received a great number from various parts of the country, that the present insurrection in a portion of the Kandian country is merely the bursting forth of a spark which has only smouldered for many years past, and which has been at length blown into a flame not by any one particular cause, but by a variety of conspiring circumstances.

9. The opening up of the mountain fastnesses by the formation of coffee plantations, the invasion as it were within the last few years, of the secret haunts in which the half civilized Kandian formerly delighted, by a host of European planters and Malabar coolies have contributed not a little to disturb the habits and interfere with the customs of the Kandians. Prejudiced as they are, and strongly tinctured with the pride of caste, they forget the benefits they have gained, while they remember the privileges they have lost. Abuses they have undoubtedly suffered in many instances, at the hands of the new comers.

10. The distinct repudiation of their religious prejudices and feelings by the British Government, and the surrender of the relic to their custody during the past year, deeply wounded their pride and created a certain degree of mistrust and jealousy between the priests and chiefs. The principal and almost only point upon which they could distinctly agree, was in their combined fear and hatred of British rule.

11. And lastly, there have not been wanting those among the discontented and disappointed Europeans (soured perhaps more especially by their recent failures) who nourished the discontent of the Kandians, related for their amusement some of the stories of the French revolution, and expounded to them the pernicious language of the "Observer." This I know to be the fact. Moreover, I have ample reason to believe, that emissaries from some of the disaffected spirits in Colombo were actually employed at Kandy to add fuel to the fire, and to inculcate dissatisfaction with the road ordinance and the gun tax.

12. The reins of Government have also, I am disposed to admit, been sometimes too lax, and at other times too stringent. Our system has been defective, but the only wonder is, that we have managed to keep the machinery in motion as well as we have done. Above all, I cannot forget the expression which was addressed to me by one of the chiefs at a solemn conference at the pavilion at Kandy last year, to the effect that "if you neither respect our religion nor have regard to our customs, what is the benefit to us of the British Government?"

That very chief, although then in the employ of Government, it has been since found necessary to dismiss, and there is good reason to believe that he is a party to the movements of the rebels.

13. I have thus, my Lord, endeavoured to place before your view as clearly as I am able, the principal causes which have separately and jointly contributed to produce the present outbreak. Extreme pressure of business will not permit me by the present mail, to touch upon any other matters bearing upon our present proceedings and future policy, which I shall hereafter have occasion to allude to.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c.

(Signed) TORRINGTON.

Enclosure 1 in No. 23.

Encl. 1 in No. 23.

STATEMENT of the HEAD PRIEST of the DAMBOOL TEMPLE.

At Kandy, on the 12th day of August, 1848, appeared before the Hon. the Acting Queen's Advocate and the undersigned Charles Stewart, Esq., Deputy Queen's Advocate for the Central Province, Ambalambe Unnause, of the Dambool Wihare, who, in answer to the questions put to him by the Queen's Advocate, voluntarily made the following statement through the interpretation of the undersigned Cornelius Jayetileke, Modliar, that is to say:—

I am at present the chief priest of the Dambool Wihare. I have been a priest of this temple for the last 60 years. There are six other ordained priests attached to that temple and living there—Geranagomowe Unnause, Indegolagama Unnause, Nikkomalle Unnause, Haduwa Unnause, Marala Oloowaya Unnause, and Ambulambe Kuda Unnause. The pretender was at Dambool some time ago; I saw him for the first time on the night of the 26th July last, on a Wednesday, in the early part of the night; but on the night of the 24th of that month I have heard that there was such a person in the jungle, about four miles from our Wihare. On the 25th I despatched Padinnia Aratchille to Golapelle Rateymahatmeya with a message, to say that I had heard that there were some people and a man, either a Malabar or a Singalee, who pretended to be a king, in the jungle about a gow from the Wihare. I requested the Aratchille to satisfy himself of the correctness of the report before delivering the message. The Rateymahatmeya was at that time in the village Pennallabodde. The Aratchy returned to me on Wednesday morning, the 26th, and told me that he had seen the king and his people, and had told the Rateymahatmeya what he had seen, and what I had told him, and that he found the Rateymahatmeya not at Pennallabodde, but at his Walawe at Ehelepolla.

On that evening, about one hour and a half (Singhalese) before sun-set, whilst I and others were bathing, we heard a "Hoo!" at the front of the temple, near the rock, and a call, "Come soon!" After bathing, we went to the Pansela. On my arriving at the Pansela, two men came to it; I asked them, "What was the cry for?" and "why did you come here?" These persons replied, "The king and a great number of people have arrived, and require the keys of the temple." I do not know these two persons; they asked me to take the keys. I sent the keys by Ambulambe Kuda Unnause, and a message that I would come when I had done chewing beetle. I followed shortly after. I first of all saw 10 men with guns, near the stone steps, as a guard; a little further on I saw another guard of about 20 men with guns. I then entered the compound, and there saw 700 or 800 men; they were armed with guns and swords; some had no arms. I found the lamps burning in the temple within the Maha Dewalla, at the spot where offerings are usually made. Sitting on a carpet, with a pillow by his side, I saw the man calling himself the king. I went up to him together with Giermagamma Unnause. I saw the man; he asked me why I had not come up sooner. I said that I had been bathing. He then asked me, "Are you attached to the religion of Boodhoo or to the Government?" I replied that I was attached to both. He then said, "Why, when a king was coming to the temple, did you not decorate it and open the doors?" I said, had I known in time I would have done so. He became angry, and asked me if I wished to go into the jungle? I replied, I had no such wish. He requested me to let him see my face. He looked at my face and asked, "Why do you argue with me?" He became very angry with me. He then asked me, "Don't you know what happened to Parunatelle Naike Unnause?" I said, "I do know." He then said, "Which sword do you think is the sharper, the English or the Singhalese?" I replied, "They are both sharp; they will both cut." He now became more angry. He told me I was not to speak in this manner in future. He extended his pardon to me. While this interview was going on, the king's people crowded round to hear. Seeing that, he got up, taking from the carpet a sword in each hand, and went out to the Pilla. He ordered those who expected to receive high situations to separate themselves from the others, and to go on one side. The people, however, instead of doing so, still crowded; upon which he jumped into the compound, and got among the people and drove them back. He then stood among the middle of the people and said, "Do not hurt the poor people, I like them." He then returned to the same carpet, and I returned to the Panselle. I left him in the temple, in the Vishanu Dewalle. When I went away there were other priests with the king. The king was about to take his meal in the temple when I went away. His followers had prepared it for him. I returned to the temple four or five hours afterwards, when I found him inside the temple, opposite the

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image of Vishanu, the curtain having been removed. I was informed by the priests and boys, and, in fact, by all the people there, when I came back to the temple, that, during my absence, the king had made offerings to Boodhoo, and had also made a declaration before the image of Vishanu to the following effect:—"I do not lie. I am not an impostor. I am a grandson of King Keer-Sisseree; to the truth of which I call heaven and earth, and the Katregam God to witness; and if this is false my head will burst, and lightning will strike me." On my arrival he took out a piece of "puss cola" from his waist, and placed it on a chair which stands opposite the image of Vishnoo. He shortly afterwards took up the puss cola and read it aloud. It contained his name, "Sereweek Kereme Saraawe Siddipi." He desired us to perform "Peerit" for him. I said at first I did not know how to perform this service for a king. He replied that I was an old priest, and must know. Upon this we performed the service. He stood opposite to us in the temple. We stood in a row, about seven or eight of us (priests), and said the Peerit. All this we did through fear; what could we do against such a crowd of people? After the service was performed he returned to the carpet. He then asked us for two palanqueens. He replied, "How then do you go to the villages to preach Banna? Give me the two palanqueens; deliver them in charge of Lanadoore Aratchille and Ratwatte Banda." They were both present. There was but one palanqueen, and that I gave; it was the one taken at Matelle. Before daylight the king and his people left Dambool for Matelle, with tom-toms. This is all I know. I did nothing after the king had gone. I sent no information to any person of his visit. At that time Tappal was stopped, and no person could pass and repass to and from Kandy. Before this time I had never seen the king. I do not know who was the king. He spoke Malabar; he spoke Singhalese to us, but he spoke Malabar to a man who was with him. He was like a Singhalese man; I cannot say that he was a Malabar. He spoke like a learned man in Singhalese, and spoke it without any foreign accent. He was of a light colour. I did not myself distinguish the colour of his eyes; all the people said he had cat's eyes. He had whiskers and moustachios, the latter curled up, but no beard. He was of the middle size; rather stout figure, and good looking. He appeared to be about 37 years of age, more, not less. He had on his head a striped yellow silk turban; a white jacket extending as far as his waist; a white cloth with gold border, worn in the Singhalese way: a ring on the forefinger of the right hand. I could not send information to Kornegalle, because that district was also in a disturbed state. Though the disturbance had not broken out, the people were watching the road. I did not send information either to Trincomalee or Anooradhapoor, though the roads to the places were open; I could not do so. I have no other reason to give for not doing it. I know the Doollewe Dewa Nilleme. Shortly before this he built a temple at Dambool. The last time I saw him was at Dambool, during the elephant kraal in the Matelle district.

Encl. 2 in No. 23.

Enclosure 2 in No. 23.

EXTRACTS from TRANSLATION of a SINGALESE LETTER, addressed by a Native to the MAHA MODLIAR, dated Kandy, July 30, 1848, respecting the crowning of the Pretender.

"The impostor Denis, who has been recently proclaimed king at Matelle, his brother Dāwitā, and several other people from different Rattes, assembled at Dambool, and decided on making a rebellion. Denis and his brother then entered the interior of the Temple, and approaching the image of Maha Vishnu, and kneeling before it, made the following declaration:—"I and my brother are no ordinary persons. We are princes descended from the royal family of (naming an ancient king of Lanka); if this be an untruth, may Divine vengeance visit us; may the curse of God rest upon us. God Vishnu, sky and earth, be ye witnesses to this our solemn declaration!"

"Upon this, the priests of the Temple pronounced the hymns of victory and blessing over a vase full of water, and anointed Denis King of Kandy. People then prostrated before him, calling him their king, and rose against Government. There is hardly anybody in Matelle, who is not concerned in this rebellion. I am now engaged in making a list of the names of the principal persons in it. The priests, and tenants of Dambool Wihare, as I have already told you, are the leaders. I am now inquiring who are the principal persons concerned in other rattes.

"I do not think that the recent rebellion is owing to the imposition of the new taxes. The people in Dambool, or the leaders of the rebellion, do not seem to be aware of the imposition of them. They do not even make an allusion to it. I have no doubt that the object of the rebels is to conquer the country from the English. It is evident that this affair dates its origin before the promulgation of the new Ordinances.

"It is owing to these circumstances, that the people have become so bold. All people in the Kandyan country believe that the Pretender and his brother are real princes. They can never be persuaded that they are impostors."

Encl. 3 in No. 23.

Enclosure 3 in No. 23.

EXTRACT of a LETTER from a Native to the MAHA MODLIAR, dated Kandy, July 29, 1848.

"This rebellion is, it seems, quite a preconcerted thing; and the people who head it, want not the repeal of taxes, but a change of government."

Enclosure 4 in No. 23.

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EXTRACT of a LETTER from a Native to the Honourable the COLONIAL SECRETARY,
dated July 28, 1848.

Encl. 4 in No. 23.

"I have also heard that there is another young foreigner in Ellepatto, Elipankleme; or in Wedipattuwe, of Tamankadneve; kept in secrecy, with a view to raise to the throne of Kandy.

"Sir John D'Oyly, during all his time, employed his unceasing attention and vigilance against the appearances of any pretenders.

"The Kandyan subjects are highly aggrieved and annoyed since the British Governors ceased the interferences and protection to uphold their religion, as was proclaimed by the convention of 1815."

Enclosure 5 in No. 23.

Encl. 5 in No. 23.

TRANSLATION OF THE OLA.

May all blessings attend his most excellent Majesty the King of Ceylon, Darmapaale, whose mandate is this:—

Be it known to Mollegodeya,* Gannepalla, and Medenia of the Desavony of the Four Korles, that the royal family is not extinct. The English Queen has it in contemplation to destroy the Great Temple in Kandy. The individuals we have named, and also the Nulleweys (the Dunuville family), are endeavouring to do us injury; we will not permit them to do so. The two former are slaves, and profess the Christian religion. The latter is descended from the Portuguese, who bear affinity to the English. The houses of these three men shall be burnt, and they shall be put to death. Inhabitants of Four Korles be warned! This is written by the gracious order of the King of Kandy, who preserves the Great and other Temples.

True Copy of the Translation.

W. D. BERNARD.

Enclosure 6 in No. 23.

Encl. 6 in No. 23.

TRANSLATION.

The command of his Highness SREE WICKAEME SARWA SIDDY, who has ascended the throne on Wednesday the 12th day of July, is—

'That you, Paleegaswene Ratte Mahatmea, do, on the receipt of this, without any delay, cause the roads to be blocked, and well watched by armed men; and that you do report what number of places are guarded, and the number of arms are so stationed by you. Which being done, you should send a report to the Palace, at the fort of Matelle, where his Highness resides. In default of which, you must not complain if his Highness should visit you with his displeasure. Should a foreign enemy rise from the district (Nuwerekalaweza), after evincing loyalty to his Highness, no blame should be imputed to his Highness.

True Copy of Translation.

W. D. BERNARD.

(No. 145.)

No. 24.

No. 24.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, August 15, 1848.

MY LORD,

(Received September 25, 1848.)

Answered Oct. 24,
1848, No. 303, p.
339.

As it is probable that a good deal of apprehension may prevail among those parties in England who are interested in the coffee cultivation of Ceylon, with regard to the effect which the disturbances in some parts of the Kandian districts may have upon the Indian Coolies who are already in the island, and as to the influence which the reports of the state of the country may exercise in deterring others from coming over at the proper season to gather in the crops, I feel it my duty to state to your Lordship that I do not apprehend that any deficiency of Coolies will be occasioned by the circumstances I have alluded to. If it should really turn out that labour becomes scarce within the next two or three months, I am persuaded that the true cause will be found much rather in the disheartening effect upon the Coolies of being kept many months in arrear of the wages due to them in the course of the past season, and indeed at the present time, than in any fears which they may entertain of the Kandians.

* The two first are two Rattamahameyas of the Four Korles, viz., Poonecoor Corle and Belligal; the latter is Koralle of Kunduha Pattoo of Four Korles.

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2. I regret to be obliged to state that a vast number of coolies left the estate to return to their homes with considerable sums due to them for wages, payment of which they were unable to procure. The superintendents have in many instances been sued before the Courts, but pleaded that they were themselves unpaid, and were quite unable to pay their labourers. So much has this been the case, and such a prejudicial effect is it likely to have upon the minds of the Coolies (not to speak of its injustice), that I shall feel it my duty to bring before the Legislative Council at its next session, a Bill to make the wages of the Coolies a first charge upon the crop, and to prevent the removal of the coffee from the stores of the estates until the arrears of wages shall have been paid.

3. But with a view to obviate the effect of false alarms with regard to the Kandian outbreak upon the minds of the Malabar inhabitants of the opposite coast, I have addressed a request to the Governor of Madras, that he would be good enough to cause notices to be issued and to be distributed throughout all those districts from which the Coolies come, to dispel the fears of the natives, and to assure them that no danger need be apprehended. Sir Herbert Maddock has also written to many of his friends in Madras to the same effect.

4. I have already noticed in my Despatches by this mail that the coolies upon the estates have shown a great deal of courage, and have not abandoned their master's property.

5. By returns which are now before me from all the ports at which coolies arrive, and from which they take their departure, being seven in number, including Colombo, I find that in the first six months of the present year the total number of coolies who arrived, as nearly as possible equalled the total number who departed, including women and children, amounting to about 9000 either way. In the month of July the number of arrivals exceeded the number of departures at Colombo by about 100, but I have no returns from other ports.

6. It is quite possible that in a few instances coolies who have arrived within the last few days may have been deterred from following their usual lines of march; but from the enclosed statement by Sir Emerson Tennent of what he witnessed while on his journey up to Kandy, and from the generally quiet state of all but two of the districts, I feel persuaded that the coolies will not in any considerable number be deterred from going to Kandy. Instead of striking along the high road from Anaradjapoor, or of turning off by Putlam through Kornegalle, it appears that they are taking the line by the sea coast, and will then follow up the main road from Colombo to Kandy.

7. I confess that it strikes me with some surprise that many of the merchants of Colombo, instead of using their utmost efforts to encourage the coolies and dispel their fears, are acting in a manner calculated to create the very panic which they profess to dread, by spreading false reports of the flight and terror of the coolies.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Encl. in No. 24.

Enclosure in No. 24.

MY LORD,

Kandy, August 12, 1848.

ON the road from Colombo to Kandy I overtook several parties of coolies from the coast who were on their journey to the coffee districts. On inquiring why they had taken this circuitous route, their canganis informed me that on arriving at Putlam they heard of the riots at Kornegalle, and instead of turning off in that direction they continued along the coast road, knowing it was undisturbed.

It is satisfactory to have the evidence that the Malabar coolies have not been struck by panic, as was at one time apprehended; but that they are accurately informed of the state of things, and act deliberately in accommodating their movements accordingly.

I have, &c.,

The Right Hon. the Governor.

(Signed) J. EMERSON TENNENT.

(No. 146.)

No. 25.

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No. 25.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, August 15, 1848.

MY LORD,

(Received October 2, 1848.)

1. It affords me much pleasure at the present moment to be able to state to your Lordship that I have received addresses and memorials from various bodies and from public meetings, expressing the entire satisfaction of a large part of the community at the vigorous measures which have been adopted by my Government for the suppression of rebellion, and for the restoration of public tranquillity throughout the island.

2. I have now the honour to forward to your Lordship four of the documents giving expression to public opinion in various forms. The first is a copy of certain resolutions carried at a public meeting in Colombo. The second is a resolution adopted at a general meeting of the Chamber of Commerce. Another is an address on behalf of the Roman Catholic Bishop and the clergy of that persuasion. And the fourth is a memorial, or a set of resolutions adopted at a general public meeting of the inhabitants of Kandy and of those having interests at stake in that district, presided over by Sir Herbert Maddock.

3. I would particularly invite your Lordship's attention to the 3rd and 4th of these documents, because they convey the expression of what I believe to be the real sentiments of the largest and most influential body of the inhabitants.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Answered Oct. 24,
1848, No. 303,
p. 339.

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Enclosure 1 in No. 25.

Encl. 1 in No. 25.

At a PUBLIC MEETING held this day in the EXCHANGE-ROOM, FORT OF COLOMBO, the following resolutions were carried unanimously :—

JAMES SWAN, Esq., in the Chair.

1st Resolution—

Proposed by J. Clewes, Esq.

Seconded by A. F. Gore, Esq.

That this public meeting, consisting of the inhabitants of all classes resident in Colombo, do most cordially and heartily express their unanimous concurrence in the prompt and active measures of the Government to suppress rebellion in the Kandian districts.

2nd Resolution—

Proposed by W. K. Lancaster, Esq.

Seconded by W. Robertson, Esq.

That a deputation of six gentlemen be selected to wait on his Excellency Viscount Torrington, to lay before his Lordship the loyalty and good feeling of this meeting, and to offer their ready service in any manner required for the support of order and constitutional government.

3rd Resolution—

Proposed by J. T. F. Bowker, Esq.

Seconded by F. Templer, Esq.

That the following gentlemen do wait upon his Excellency the Governor, to lay before his Lordship the proceedings of this meeting.

James Swan, Esq., *Chairman*.

J. B. Alston, Esq.

W. Robertson, Esq.

J. Clewes, Esq.

A. F. Gore, Esq.

Hew Stewart, Esq.

David Wilson, Esq.

4th Resolution—

Proposed by J. Selby, Esq.

Seconded by Hew Stewart, Esq.

That the thanks of this meeting be given to James Swan, Esq., for his able conduct in the chair.

(Signed)

JAMES SWAN, Chairman.

Colombo, August 5, 1848.

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Enclosure 2 in No. 25.

Encl. 2 in No. 25. EXTRACT from the MINUTES of a SPECIAL GENERAL MEETING of the CHAMBER of COMMERCE, held July 31, 1848.

"Resolved, That Messrs. Ritchie, Smith, Swan, and Dawson do form a deputation to wait upon his Excellency the Governor; to bring before him the great danger to be apprehended to the planting interest by the existing disaffection in the interior, to express to his Excellency the hearty concurrence of the Chamber in the prompt measures adopted by Government to suppress insurrection, with the assurance of the willing and active co-operation of its members in case of need, and to pray that his Excellency may adopt such measures as may be best calculated to avert the impending ruin which threatens the colony by the departure of the Malabar Coolies from the island while under the influence of alarm."

(Signed) "W. RITCHIE, Chairman of Meeting."

Encl. 3 in No. 25.

Enclosure 3 in No. 25.

MY LORD,

Colombo, August 7, 1848.

I AM desirous at this period to offer to your Excellency, on the part of the Roman Catholic clergy of Ceylon, what must, I fear, convey but a feeble expression of our feelings with reference to late occurrences.

Deeply interested as we shall ever be in the peace and well-being of the entire people of this country, it was with the greatest sorrow and regret we heard that the efforts of the designing and evil-disposed were so far successful as temporarily to attract a portion of the poor and ignorant natives from their just allegiance to the Crown of Great Britain.

The dispensation of Divine Providence having, however, mercifully abated the evil which threatened the land, I have the pleasing duty to perform of respectfully addressing your Excellency, whose exertions have been instrumental to this end, to express in behalf of those whom I represent, our warmest thanks and our heartfelt gratitude for the prompt, judicious, and efficacious measures adopted by your Lordship for the restoration of peace and security and the preservation of order.

I avail myself of this opportunity to assure your Excellency that our exertions shall invariably be used to inculcate obedience and respect to the laws, and our influence exercised to aid and support the constituted authorities in their laudable efforts to promote the welfare and prosperity of the country.

I beg your Excellency to accept the expression of our sentiments as a respectful token of our confidence in your Lordship's Government, and as a mark of our dutiful esteem and gratitude; and with our earnest prayers to Almighty God to guide, prosper, and preserve your Excellency in every undertaking,

I have, &c.

The Right Hon. Viscount Torrington,
&c. &c. &c.

(Signed) + CAETANO ANTONIO,
Bishop and Vicar Apost. of Ceylon.

Encl. 4 in No. 25.

Enclosure 4 in No. 25.

PROCEEDINGS at a PUBLIC MEETING at KANDY, Sir Herbert Maddock in the Chair.

1st Resolution—

Moved by R. D. Swan, Esq.
Seconded by R. D. Gerard, Esq.

That this meeting tender its cordial thanks to the local Government for the prompt and energetic measures taken to suppress the rebellion lately raised within this and the other districts of the Kandian provinces, and for the protection of Her Majesty's peaceable and loyal subjects.

2nd Resolution—

Moved by W. R. Gaskell, Esq.
Seconded by C. Morrison, Esq.

That this meeting feels confident that no general disaffection to the British Government exists among the mass of the Kandian people, except perhaps in certain districts, and is of opinion that the lower orders have been incited by tumultuous assemblages, and violent measures by ill-disposed persons, amongst whom are many chiefs, petty headmen, and priests.

3rd Resolution—

Moved by Rev. S. O. Glenie,
Seconded by A. Adams, Esq.

That the thanks of this meeting are due to Col. Drought for the effective and judicious manner in which he has carried out the measures of Government, and for the ready assistance he has given in cases where his aid or protection were solicited.

4th Resolution—

Moved by G. Wall, Esq.
Seconded by T. Hunter, Esq.

That this meeting views with regret the unworthy attempt lately made by certain parties to charge the late disturbances upon undue display of the military, and records its opinion that the interference of military force was peremptorily required, and most opportunely and judicious exercised.

5th Resolution—

Moved by J. K. Jolly, Esq.
Seconded by J. J. Staples, Esq.

That the thanks of this meeting be given to the Honourable the Chairman for his obliging conduct in the chair, and that he do kindly forward a report of the proceedings, with a copy of the resolutions, to his Excellency the Governor, and a copy of the 3rd resolution to Lieut.-Col. Drought.

(No. 147.)

No. 26.

No. 26.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo,
August 15, 1848.

MY LORD,

(Received October 2, 1848.)

Answered Oct. 24,
1848, No. 304,
p. 341.

1. I HAVE the honour to forward two memorials from certain members of the Chamber of Commerce of Colombo, addressed to your Lordship, together with the copy of a letter addressed to the Colonial Secretary by other members of that body, who therein request that I will bring to your Lordship's notice the fact that they dissent from the statements contained in the two memorials, and that they regard them as evincing "an uncalled-for interference, and highly improper at the present juncture."

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2. It is right that I should apprise your Lordship that there are certain members of that body, who for some time past have taken opportunities to exhibit little petty hostilities and jealousies towards the Government, partly, as I think, because the hardness of the times, the pressure of monetary affairs, and the bankruptcy or insolvency of some of their body, have contributed to unsettle their minds and make their position one of difficulty. In other respects, too, it can hardly be expected that they should altogether avoid the natural weakness of mankind, which is at all times disposed to attribute the failure of their plans and disappointed hopes to the direct agency of Government, and to any other cause rather than their own rashness or over-sanguine expectations.

3. The memorials in question have the recommendation of praying for a reduction of our expenditure, and in this respect I am far from finding fault with them. On the contrary, I have on several occasions already dwelt upon the necessity for economy in all branches of our expenditure. But beyond this particular point, they present to your Lordship a disquisition upon some of the measures of my government, which at this juncture is particularly misplaced. I have reason to believe that many, if not all of them, are fully aware of the various means which have been used to create dissatisfaction among the natives, and they take advantage of the opportunity of a rebellion in the Kandian districts, to endeavour to impress upon your Lordship the fact that the revolt at Kandy, and the excited state of the public mind in the neighbourhood of Colombo (by no means so great as they would represent it to be), are alike to be attributed to the introduction of the gun ordinance, the shop ordinance, and the road ordinance, which they perversely call the poll-tax.

4. Whatever defects there may be in the details of these ordinances, I think that neither the memorialists nor Her Majesty's Government will be disposed to make objection to the principle upon which all of them are founded. Minor deficiencies which are at all times likely to become developed on bringing new measures into practical operation in a distant country might easily have been remedied, (and it was my intention to have done so,) in the approaching session of the legislative council; but the road ordinance is actually not yet brought into operation at all, and by the erroneous designation of a poll-tax, which they

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know that it is not, they have given proof of their disposition to find fault whether deserved or not; and the whole tone of their second memorial is precisely such as might be expected from friends and partisans of the "Observer."

5. Their present attack upon my government and myself is only a continuation in a different form of the several efforts which were made by Mr. * * * in the same direction. They have purposely kept out of sight the fact that the abolition of the export duties, by which a loss to the revenue will have been incurred of at least 20,000*l.* a-year, was expressly adopted to give relief to the planting and mercantile interests. They purposely avoid all reference to the urgent demand they have at all times made for the extension of roads, and for facilitating, and therefore cheapening the transport of produce from the interior, and of food to their estates. But they dwell entirely upon certain new taxes, which they are in fact scarcely likely to have in all cases to pay.

6. They dwell upon the ruin of the planters, as if it entirely resulted from the measures of Government (scarcely yet in operation at all), and omit to inform your Lordship that the spirit of unwise speculation, and the disposition to useless and extravagant expenditure which first led the planters into debt and then brought on their ruin, was fostered and encouraged by the merchants who now complain, and by others who are not here now to make complaint, because being ruined themselves, and having dragged the planters with them, they have left the island in disappointment.

7. With regard to the prayer with which both the memorials conclude, viz., that a special commission may be appointed to inquire into the state of the colony and its administration, I cannot perceive that there are sufficient grounds for recommending such a course to your Lordship.

8. I incline to think that mischief would be done at the present time, by encouraging people to complain, by kindling discussion upon difficult and even dangerous points, and that no good purpose would be attained by it, which may not equally be secured or attempted without it; I can see no sufficient reason for thus adding fuel as it were (in my judgment) to the fire, and incurring a great expense, which at best could only result in pointing out deficiencies to be remedied which are already known, or institutions to be remodelled which are already admitted to require amendment, without being able on the instant to apply the remedy, or carry out the measures which are obvious enough in themselves, but which time alone can bring to maturity.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Encl. 1 in No. 26.

Enclosure 1 in No. 26.

To the Right Hon. Earl GREY, Her Majesty's Secretary for the Colonies.

The Memorial of the Members of the Ceylon Chamber of Commerce.

HUMBLY SHOWETH,

THAT your memorialists, members of the Chamber of Commerce of Ceylon, who represent directly or indirectly nearly the whole amount of capital invested in this island by Europeans, feel it their duty, in the present crisis, to request of your Lordship that retrenchment be immediately made in all the branches of the public expenditure of this colony.

The irritation among the native population now prevailing alike in the Kandyan and maritime provinces is, your memorialists conscientiously believe, owing in a great measure to the establishment of new taxes, and to the method of their collection.

Your memorialists do not question the propriety of the principles on which these taxes are based; they are the substitution of a direct for an indirect taxation, and were the island in a more prosperous condition than it now is, your memorialists believe they would have excited little discontent; but at present, as your Lordship is well aware, both the agricultural and commercial interests are labouring under the most severe depression. Plantations are daily being abandoned from the insolvency of the proprietors, money is exceedingly scarce, and all business at a stand-still.

Merchants find themselves compelled to reduce their establishments, thus throwing out of employ a numerous and respectable class, who have long been dependent on them, and are now in the greatest distress; in fact, such is the depressed state of the colony at the present moment, that unless relief is granted, it must soon revert to its former position of a mere military dependency of the Crown.

Unless some measures be taken for immediate relief, your memorialists apprehend that the colony will in the course of another year be involved in total ruin. The disaffection throughout the island has, to the certain knowledge of your memorialists, already had the effect of deterring Malabar coolies (who are the only labourers to be depended upon in the plantations) from proceeding into the interior as usual, whilst for the preservation of the crops now ripening the greatest fears prevail; for should further disturbances arise, the coolies will not come into the country, the crops will be entirely lost, and the result must be ruin to the colony.

Your memorialists would therefore pray, that a Commission be appointed without delay, for the purpose of ascertaining in what manner the economy, which has now become of such vital urgency, can be effected with the least injury to the public service.

And your memorialists will ever pray.

(Signed) H. RITCHIE, Chairman, Chamber of Commerce.
(16 signatures.)

Colombo, 5th August, 1848.

Enclosure 2 in No. 26.

Encl. 2 in No. 26.

The Right Hon. Earl GREY, Her Majesty's Principal Secretary of State for the Colonies.

The Memorial of the undersigned Merchants, Planters, Traders, and Inhabitants of Colombo, in the Island of Ceylon.

HUMBLY SHOWETH,

THAT whilst your memorialists, under a sense of their allegiance to the Crown, felt it their bounden duty to assure the local Government of their most cordial and active co-operation for the suppression of insurrection amongst the natives in the interior of the island—your memorialists feel equally bound most respectfully to submit to your Lordship an outline of those measures which appear to them to have, by the mode in which they have been brought into operation, contributed towards the general disaffection which unhappily exists both in the central and maritime provinces, and have afforded the ill-affected the plea for a movement which your memorialists view with unfeigned regret, as not only an act of disloyalty towards Her Majesty's Government, but the harbinger of the most serious loss, if not utter ruin, to the colony.

Your memorialists are anxious, if possible, to avoid any act which may tend at this present juncture to distract the proceedings of the local Government; but they feel that they would be wanting in their duty to your Lordship and themselves, were they on this present occasion to allow the Despatches from this Government to reach you without a word from the colony, which might enable your Lordship to judge as to the probable causes of the recent much-to-be deprecated, and yet unsubdued, disturbances in the interior, as well as the general spirit of dissatisfaction which has for some time prevailed amongst all classes of Her Majesty's subjects in this colony.

Under the extreme and painful depression of the colony in every branch of trade and enterprise, as well as a decreasing revenue, your memorialists have felt that it was not an increase of taxation that was called for, so much as a diminution in the heavy expenditure which pervades every department of the colonial Government. Were opportunity afforded, your memorialists could point out many instances where wholesome reform and legitimate retrenchments might be made without in the least affecting the inefficiency of the executive. But in the midst of the increasing difficulties of the colony, the colonial Government have not only in one session, and together, imposed four taxes of a novel character, but levied in so objectionable and vexatious a manner as to irritate the people, and urge them to seek redress by personal appeals to his Excellency the Governor, and by petitions to Her Majesty, while unhappily too many have made them but a cloak for their own seditious and disloyal purposes.

Your memorialists are far from imputing any blame to the local Government for originating the taxes in question; but they most respectfully submit, that the fault lay in the provisions of the ordinances which legalized them, and subsequently vexatious manner, in which they have been brought into operation.

The four new taxes referred to are, 1st, the gun-tax; 2nd, the shop, or boutique-tax; 3rd, the dog-tax; and 4th, the labour or poll-tax.

The first of these (the gun-tax) compels the owner to pay 2s. 6d. annually for a license for each gun. Already the new tariff had provided that, in lieu of 5 per cent. *ad valorem*, 5s. should be paid on the importation of every gun, thus establishing an increase to the purchaser of from 5 to 33 per cent. on a gun costing 15s. But, independent of a tax already so heavily increased, the mode in which the additional tax of 2s. 6d. has been levied is one that has called forth the greatest amount of dissatisfaction and condemnation from all parties, and has been made the first ostensible cause of excitement and revolt in the interior. The owners of the guns have been required to attend at Colombo, Kandy, or Galle, from the utmost limits of the province in which they were respectively situated, some extending to 40 miles or more; the illiterate owner was then required to put in his written application, and in English, for a license. The native had no alternative but to apply to a writer at hand to make out the application, for which he was compelled to pay, in some instances 6d., in others 3d.; and he returned to his village after several days of loss in travelling, and payment of from 2s. 9d. to 3s., until the following year, when he must renew his license and his trouble. With such

CEYLON

undue provision for its collection was this tax brought into operation, that in the first instance the villagers were kept a week or more from their homes, whilst others were obliged to perform their journey several times for the one object, solely because due provision had not been made for issuing the licenses.

In the humble opinion of your memorialists, one license for each gun, which the natives have declared their willingness to pay, might have been deemed sufficient to meet the original purposes of the Ordinance, namely, registration, without making it an annual payment, and thereby the fruitful source of continued vexation and discontent. While your Memorialists need scarcely point out how impolitic it must be to legalize the simultaneous assemblage of a large armed, and perhaps disaffected, multitude, in any of the chief towns of the island, on the plea of coming for licenses.

The second, the shop or boutique tax, coming as it has, together with the other taxes of a like nature, and bearing as it does disproportionately upon the poor and wealthy, being at the rate of 1*l.* per annum for all stores, shops, or boutiques, of a rental of 5*l.* and upwards per annum, has called forth the remonstrances of the people, and added to the dissatisfaction created amongst a class of people who have hitherto been the most peaceably disposed; and who, as the middleman between the importer and consumer of the goods brought in to the colony, largely contribute towards its revenue.

Third, the dog-tax, though necessary and well adapted for the object and limitations proposed, namely, in towns and within the gravets, where a police force shall be formed, was most unexpectedly, even to most of the members of the Legislative Council, made applicable to every village throughout the island, where the law was not only not required, but the existence of the dogs necessary for protection, and where its enforcement would naturally be deemed vexatious, as well as impracticable and unproductive as a source of revenue.

Fourth, the labour or poll tax, though calculated to bring the native to bear his share in the burthens of the colony in effecting improvements of a local character, and in which he may be supposed to benefit more immediately, yet in detail the Ordinance was imperfect; and the tax of six days of personal labour on the roads, or the payment of 3*s.* as a substitution, without distinction, upon the land-owner and mere labourer, the rich and poor, the priesthood and laity, was scarcely just; whilst, as a measure so nearly resembling the abrogated system of *Rajakaria*, or compulsory labour, might naturally be expected to excite some suspicions in the native mind; while the Buddhist priest, bound by his vows of poverty, and not permitted to labour, or possess money wherewith to commute that labour, would no doubt be found ready to excite the animosity of the natives to the tax.

The new Stamp Ordinance, also, in many respects is not only extremely burthensome, but faulty; while the provisions made for affording facilities to the public towards procuring stamps, by increasing the number of stamp-vendors, has been completely repressed by Government, and made an object of individual patronage not contemplated by the Ordinance, and against which act the public voice has been raised.

Your memorialists cannot refrain from drawing your Lordship's attention to a very recent instance, in which the Government, under the existing deficiency of funds in the treasury, has not exercised that economical consideration which the occasion demanded and admitted of. The necessity for the independent existence of the town surveyor's department has always been questioned, when it was known that the civil engineer's department has been maintained, with scarcely any duties to perform, and might, as formerly, have safely been intrusted with the town surveyor's work. While, however, with little or no money to be disbursed by the town surveyor's department, and the directing the two officers thereof to rejoin their respective corps, would have been attended with no personal injury or inconvenience, your Memorialists were grieved to find that another officer, from the Royal Artillery, was appointed to the charge of the department on the departure of his predecessor, with a charge upon the revenue of 360*l.* per annum, with no adequate duties to perform.

Your memorialists feel called upon respectfully to remonstrate against the hurried mode in which some of the numerous important Ordinances were pressed through the Council during its last session, while the public were taken by surprise by important alterations which had taken place in two of the recent Ordinances, differing most materially when promulgated as "enacted," from that "proposed;" many of the members of the Legislative Council expressing their ignorance of the change. Your Memorialists allude to the application of the dog-tax to villages; as also in the Ordinance "for amending the law relating to Port Dues," which was introduced by Government for the professed purpose of giving relief to the maritime interests. The Ordinance as proposed was to the effect—that port dues "shall be payable at the rate of two-pence per ton for entry inwards and clearance outwards;" whereas it was published, as enacted, with the material change of "two-pence per ton for entry inwards, and at the rate of two-pence per ton for clearance outwards;" making it, in fact, the same as it was formerly, viz., 4*d.* in and out.

But, above all, your memorialists feel that it will be in vain to legislate for this colony with any degree of satisfaction to its inhabitants, or consistently with the principles of self-government propounded by Her Majesty's Government, unless the Legislative Council be materially extended, and the several classes of Her Majesty's subjects fully and unequivocally represented. The present constitution of the Council is not such as to hold out the slightest prospect of improvement to the colony, or to advance the interests of those who contribute towards its maintenance. The colony subsists itself; its revenue hitherto given by the people was more than ample for all its legitimate demands; but the tax-payers, and those who contribute towards the revenue of the colony, most respectfully claim the privilege of regulating and

administering its disbursement, whether fixed or contingent ; as, also, to propose such laws and originate such measures as they may deem conducive to the interests of the colony, subject, however, in every instance, to the approval of Her Majesty.

Finally, your memorialists respectfully urge, that the present condition of the colony, with the general deterioration of all kinds of property, and the consequent falling off of revenue, demand the closest possible retrenchments in every branch of the civil, military, and judicial departments, from His Excellency the Governor, downwards.

And your memorialists pray, if need be, that your Lordship may be pleased to appoint, without delay, an independent Commission "to hear and report upon the state of the colony, the ministrations of Government, its laws and revenues, and all such other matters affecting the interests of the same."

Colombo, 12th August, 1848.

[Here follow 16 signatures.]

Enclosure 3 in No. 26.

Encl. 3 in No. 26-

SIR,

Colombo, August 14, 1848.

WE beg you will do us the favour to request his Excellency the Governor, when transmitting the memorial signed by Mr. Ritchie, as chairman of the Chamber of Commerce, to the Right Honorable the Secretary of State, to inform his Lordship, that the said memorial has not the unanimous concurrence of the members of the Chamber ; but, on the contrary, we consider the prompt and efficient measures taken by the Government for the suppression of rebellion, entitle it to our confidence, and we regard the memorial as an uncalled for interference and highly improper at this juncture.

We have, &c.,

(Signed) J. SMITH, for Self and Partner, of the firm
of J. and G. Smith and Co.

G. STEWART.

J. B. ALSTON.

J. WALKER.

W. THOMSON.

The Hon. the Colonial Secretary.

Members of the Chamber of Commerce.

(No. 149)

No. 27.

No 27

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo,
August 15, 1848.

(Received October 2, 1848.)

Answered Oct. 24,
1848, No. 303,
p. 359.

MY LORD,

AT the last moment, before the departure of the mail, I have received the accompanying letter from Sir Emerson Tennent, with its enclosures, giving me the latest intelligence of the movements of the rebels, and the actual condition of the Kandyan province. I would venture to request your Lordship's attention to the remarks it contains, and also the statement contained in its enclosures.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Enclosure 1 in No. 27.

Encl. 1 in No. 27.

MY LORD,

Kandy, August 14, 1848.

As the mail leaves for England to-day, I avail myself of the latest opportunity to acquaint your Excellency with the state of affairs in the disturbed districts.

1. Kandy and its vicinity are perfectly quiet, and only excited by the arrival of prisoners from Matelle and Kornegalle.

A public meeting was held here this morning, which was numerously attended ; Sir Herbert Maddock presided, and resolutions were passed, of which a copy is enclosed, expressive of confidence in the Government, and satisfaction with the result of the measures taken for the restoration of order.

2. From all the out-stations the communications received to-day are essentially pacific ; the well-disposed who had been driven from their homes and villages are returning to their occupations, and the disaffected dispersed and dispirited.

3. The only exception is the district of Bintenne and Badulla to the south-east of Kandy,

Kandy.

Bintenne.
Badulla.

CEYLON.

from which the Assistant Government Agent, Mr. Mackenzie, writes to request the presence of troops; not for the repression of any actual commotion, but as a precaution against the probable machinations of fugitives, who are now arriving there from Mattelle and Kornegalle; and are apparently employed in exciting the people to insurrection. I am not surprised at Mr. Mackenzie's anxiety; as Badulla was, in 1843, the spot chosen by the same individuals who are embarked in the present rebellion, for the maturing of their designs, and the commencement of a revolt against the Government.

Colonel Drought has, however, made timely arrangements to discourage and defeat any attempted insubordination in that quarter by despatching a detachment of 30 men from this, who will sweep round the base of the mountains to the south-east, in the direction of Badulla, whilst a similar detachment will march north-west from Badulla to join them; and, uniting in the Bintenne country (a wild and lawless district), they will be prepared by detours and moving parties to dislodge the rebels who have taken refuge there, and are now using efforts to excite the natives to insurrections. This movement will, I trust, effectually prevent any disturbance of the public peace in Bintenne and Ouvah.

Maturatta.

4. From Maturatta, which lies to the east, between Kandy and Bintenne, I have letters this morning from the police magistrate, Mr. Templar, to report everything profoundly quiet.

Wallapane.
Hewahette.

5. I have heard the same from Wallapane and Hewahette, and, generally, the people of those districts in which the chiefs had been most active in exciting disaffection, are the most eager to assure the Government of their entire approval of the recent measures, now that they are properly understood, and of their readiness to concur and comply with them.

2.

Udapalate.
Kotmalie.
Dolostrye.

6. In evidence of this feeling, I beg your Excellency's attention to the accompanying copy of an address from the native inhabitants of Udapalate, and others which are in process of signature in Kotmalie and Dolostrye, will, I understand, be forwarded in a few days. I am assured that these addresses are the spontaneous acts of the inhabitants of those districts, who are seriously alarmed at the proceedings of the disturbed localities, and eager to disclaim all sympathy with their participators.

The address from Udapalate is signed, I am told, by 2000 natives; and whilst it denounces the recent insurrection, it calls on the Kandyans to contrast their prosperous condition under the British Government, with their own recollections of what they endured under their native sovereigns, and to remember the "state under which they had lived during the reign of their former kings, and the extreme injustice and tortures which they had been subject to; their time, lives, and properties being held at the caprice of the king."

7. It is a fact worthy of your Excellency's special attention, that the districts thus well affected and peaceful, are chiefly under the charge of chiefs and headmen, who have been chosen by Government, in consideration of their intelligence and ability, and in many instances men of inferior caste; whilst the Korles, recently in rebellion, are those placed under chiefs who had been continued in office for no better consideration than their hereditary rank, or that deference and submission which the people exhibit to these pretensions of caste and family.

Kornegalle.
Matelle.

8. To the west of Kandy, where martial law is in force, the communications received by Colonel Drought, from his officers this morning, represent everything satisfactory, both at Kornegalle and Matelle. Evidence is being voluntarily tendered against those most active in exciting the insurrection; and the property of those taken with arms in their hands, or identified as the fomenters of rebellion, is on process of sequestration, with a view to ultimate confiscation.

9. The opportunity that now presents of locating a race of Malabars in these important positions, on the lands forfeited by the rebels, is one which I earnestly trust your Excellency will not allow to pass unimproved.

Dambool.

10. From the north, the accounts are equally pacific and satisfactory. Colonel Cochrane, who is in command at Dambool, writes, that the road towards Anarajapoor, by which the fugitive Kandyans retired on the approach of our troops by Dambool, had been obstructed by them, by barricades of felled trees; and that small bodies, partially armed, had been seen on the line, by persons coming from the north. But a party of bandy-drivers, on their journey from Manaar to Kandy, had forced their way, and compelled the Kandyans to remove the trees and clear a passage.

Anarajapoor.

11. A detachment of 40 men has now marched from Dambool to Anarajapoor to prevent the dispersed rebels from congregating in that quarter, as has been their custom on all previous occasions.

12. The Malabar coolies from the coast are arriving as usual, (diminished in numbers, perhaps, though of this I am not certain), but not deterred by the recent events from prosecuting their journey to the interior; and, in many instances, they have shown much spirit in defending themselves and the property under their charge, from the attacks of the Kandyans.

13. Small parties of thieves and plunderers are still reported to be active in various quarters; but even this is now subsiding, since the arrival of the military detachments at so many points throughout the unsettled districts.

14. Evidence against the instigators and actors in this insurrection is now so abundant, and implicates so many individuals, that the chief embarrassment, which I foresee, will be to select those most culpable, as examples for punishment.

Little direct testimony has yet been procured against the great chiefs and Rata Mahatmeyas. But the prisoners in custody have given, unhesitatingly, the names of a number of the inferior headmen (Coralles and Aratchilles), who acted under the orders of their superiors, and appear to have been the most energetic in rousing and compelling the people to join the Pretender, and blockade the highways to impede the advance of Queen's troops.

15. Amongst the most active of the headmen engaged, was Golakella, the Rattamahat-

meya of Matelle, and the Aratchy of Lenadora, who is nephew to an influential priest of the Asgiri Temple at Kandy, the Lenadora Uname; neither of these men is yet in custody. One man, now a prisoner in Kandy, whose evidence was taken this morning, criminales both, as well as a long list of petty headmen, acting under their immediate orders. The Lenadora Aratchy came to his watch-hut at Nallande, he says, the night before the march on Matelle, and roused him to carry him a flambeau to light the party to the retreat of the king at Dambool, when they presented to him jewels, "a rattan mounted with silver (an emblem of royalty), a ring set with precious stones, gold lace, white cloth with a gold border, a foot in breadth, a gold chain, and a Kandyan sword mounted with silver, which, they said, they had brought from Golakella, with a message, that being in government service, he could not come in person." The witness at the same time enumerates a number of the Coralles, Violahnes, Aratchies, and headmen, whom he saw in attendance on the Pretender, and engaged immediately after in the attack upon Matelle.

16. It was by the order of these headmen that barricades were erected across the roads, and the people compelled to fell trees for the purpose. And more than one witness deposes, that near Dambool they saw the priests engaged in directing this work, and in forcing the people to cut down trees to obstruct the march of the troops.

17. Evidence accumulates criminating the priests; and several of them now in custody have confessed their participation in organizing the insurrection.

18. Amboolwewe, a prisoner, whose evidence was forwarded to-day from Dambool, says, he was ordered by the Lenadora Aratchy to proceed to Dambool on the 26th of July, the day on which the Pretender was crowned, and that he was then presented to him. He says, "I saw a large number of armed men with the king in the Temple. The king asked me whether I intended to do well for the future or not? And remarked, that the cause of our religion, Buddhoo, and our Gods, was trampled down; and that it was our duty to restore it again. I said yes, and returned to Ambool, Unansis Pansela (the priest's private apartments), where I slept; and starting at day-light, proceeded to make my report to the Coralle, which the priest above-named told me to do.

19. This same priest, Amboolambe Unanse, whose evidence was received to-day from Dambool, narrates the arrival and proclamation of the king, and says, when he approached his Majesty in the Temple, "the king asked me if I would hold to my faith, or obey the British Government? And I said I wished to do both. He got angry, and said the English were no longer to govern the country."

20. Similar evidence is on record of zeal for religion having been assigned as the motive for insurrection, previous to the attack upon Kornegalle. I have to-day received the depositions of witnesses who have just been examined there; and one, in particular, the Rattamahatmeya Doretteawe, by whom the pseudo-king (Dingoozalle) was arrested, and shot by the court-martial, states, that he found the king residing in the Temple at Sunncotta-wella; and that the people had rendezvoused there with arms, and prepared to march on Kornegalle, as they had similarly assembled in the Dambool Wihare, preparatory to the attack on Matelle. He describes the king surrounded by Coralles and headmen, and receiving the homage of the chiefs on bended knee; and when presented to his Majesty, "the king began talking to me about religion, and said, the Buddhu religion was degenerated in consequence of the British Government, and that all the population must restore the religion by driving out the English."

21. In short, my Lord, had any doubts remained as to the nature of this insurrection, and the motives and objects of its authors, they have within the last few days, been amply dispelled by the evidence of the unfortunate natives who have been forced into rebellion by their chiefs, and by the confession of the priests who are now in custody, as to their active promotion of the rebellion. As to the great body of the natives, I must reiterate the opinion expressed in my former reports to your Excellency, that they are loyal and well-affected, and that nothing but their extreme subjection to the influence of the chiefs,—an influence based on their ignorance and helpless dependency,—could have exposed them to be implicated in the recent proceedings.

22. I must likewise remark, that throughout all the evidence collected, (and which is already most voluminous, and from all classes, headmen, priests, and natives of all ranks), not a single allusion is made to the lately imposed taxes, as having any connexion with the present excitement, or being urged by any one individual as a motive, or a justification for disturbance. The only arguments appealed to by the chiefs to arouse the people, being the appearance of a native king, and the duty of restoring, in all its vigour, their national religion.

23. In my last communication, I called your Lordship's attention to the circumstance, that more than one individual was now at large, but in flight or concealment, who assumed the style and designation of "king." I find this fact corroborated by a curious declaration of the Pretender to one of the prisoners now in custody, and deposed to in his evidence. When forced before the king at Dambool, he had heard him declare, that he "had four kings with him. One I have sent to the Seven Corles (Kornegalle), two to Ouvah, and one towards Trincomalee. The one sent to Seven Corles is my eldest brother, and you will obey him."

24. Since writing the above, the superintendent of police in this province, Mr. Colpepper, who, as a magistrate, has had most extensive experience of the people, and knowledge of the country, has placed a report in my hands, which I think it important to forward at once to your Excellency, as it strongly confirms my own observations and conviction as to the loyalty of the Cinghalese and Kandyan people, and the almost exclusive guilt of the priests and chiefs in concocting the present rebellion.

Vide Enclosure 4,
page 203.

I have, &c.,
J. E. TENNENT.
2 D

CEYLON.

P.S.—When on the point of closing this despatch, intelligence has just reached me of the capture of Golabella Ratamahatmeya, to whom I have alluded as one of the most deeply implicated of the headmen.

Most important evidence has likewise been sent in from Matelle, as to the Dewa Nilleme, now a prisoner, the most distinguished of the Kandyan chiefs, as well as the most exalted lay officer of the Buddhist religion, having immediate custody of the sacred relic. It has been deposed by the witness, that he saw the Dewa Nilleme go out of Matelle attended by an armed guard, at the moment when the king was on his march to attack it; that he met "his Majesty" a few miles from the town, prostrated himself, and did homage; that he held a private conference with him, and took his leave in an opposite direction, whilst his armed followers remained behind, mingled with the king's attendants, and joined them in the plunder of Matelle.

J. E. T.

Encl. 2 in No. 27.

Enclosure 2 in No. 27.

Resolution 1.

Moved by R. D. Swan, Esq.

Seconded by R. D. Gerard, Esq.

That this meeting tender its cordial thanks to the local Government for the prompt and energetic measures taken to suppress the rebellion lately raised within this and the other districts of the Kandyan provinces, and for the protection of Her Majesty's peaceable and loyal subjects.

Resolution 2.

Moved by W. R. Gaskell, Esq.

Seconded by C. Morrison, Esq.

That this meeting feels confident that no general disaffection to the British Government exists amongst the mass of the Kandyan people, except perhaps in certain districts, and is of opinion that the lower orders have been incited to tumultuous assemblages and violent measures by ill-disposed persons, amongst whom are many chiefs, petty headmen, and priests.

Resolution 3.

Moved by Rev. S. O. Glenie.

Seconded by A. Adams, Esq.

That the thanks of this meeting are due to Colonel Drought for the effective and judicious manner in which he has carried out the measures of Government, and for the ready assistance he has given in cases where his aid or protection was solicited.

Resolution 4.

Moved by G. Wall, Esq.

Seconded by T. Hunter, Esq.

That this meeting views with regret, the unworthy attempt lately made by certain parties to charge the late disturbances upon undue display of the military, and records its opinion that the interference of military force was peremptorily required, and most opportunely and exercised.

Resolution 5.

Moved by J. K. Jolly, Esq.

Seconded by J. J. Staples, Esq.

That the thanks of this meeting be given to the Honorable the Chairman for his obliging conduct in the chair, and that he do kindly forward a Report of the proceedings with a copy of the resolutions to his Excellency the Governor, and a copy of the 3rd Resolution to Lieut.-Colonel Drought.

Encl. 3 in No. 27.

Enclosure 3 in No. 27.

(Translation.)

To His Excellency the Right Honourable Viscount Torrington, Governor and Commander-in-Chief in and over the British Settlements and Territories in the Island of Ceylon, with the dependencies thereof.

The humble and dutiful address of the undersigned inhabitants of the district of Udepalate.

We beg to express our following sentiments in reference to the recent disturbances and rebellion which were got up by the inhabitants of Kornegalle and Matelle, they being led thereto by their own wicked imaginations.

We beg to assure your Excellency that we are firmly determined uninterruptedly to pay the British Government our sincere allegiance, and to preserve public peace and order in our respective villages always.

We are of opinion that the inhabitants of Dumbere and other districts, who recently assembled in the town of Kandy to complain of their alleged grievances at the taxes which the Government ordained, were induced to do so by a want of due consideration of the state under which they had lived during the reign of their former kings, and without considering the extreme injustice and the tortures which they had been subjected to, and not minding that their time, lives, and property, were then held subject to the caprice of their kings.

We are also sensible that we are not only at present free from such injustice and wrongs, but that the British Government is merciful towards the inhabitants of our district; and that the Government is not only actuated by good-will towards us, but that if anything were done in our behalf that it would be done for the purpose of promoting our welfare.

We are fully sensible that the Government taxes are ordained for the general benefit of ourselves, and therefore, not only we, but our future generations, will cheerfully pay such taxes.

We not only extremely regret that certain inhabitants of some of the districts, for want of due consideration of the benefits intended to be conferred upon them by the recent Ordinances, should have dissatisfied their minds, and thereby promoted rebellious acts against the Government; but we beg to offer very many thanks to Government for the manner in which these disturbances have been put down, and fully appreciate the means adopted for their suppression.

We consider that the ordinance which requires us to work upon the roads, for only six days in the year, a just one, more especially because provision is therein made whereby those who are unable or unwilling to work should pay a commutation tax of 3s. instead of labour.

The formation of roads is a very necessary thing, and that they, the roads, are calculated to do good to ourselves, it is, therefore, our duty to do our utmost to promote the making of roads.

We, lastly, beg to express our confidence in your Excellency's benevolence, discretion, and discrimination, to distinguish between right and wrong, and to submit our veneration to your Excellency, and to assure that we are always ready and willing to obey your Excellency's commands.

Kandy, August 14, 1848.

Translated by
(Signed) W. SAYETILLEKE.

A true Copy.

J. E. TENNANT, Colonial Secretary.

Enclosure 4 in No. 27.

Encl. 4 in No. 27.

SIR,

Police Office, Kandy, August 13, 1848.

HAVING been ordered by his Excellency the Governor, on the 29th ultimo, to proceed to Kandy, and furnish myself, to the best of my abilities, with information concerning all the circumstance connected with any disaffection that may exist among the Kandyan people; the particulars of any disturbances that had occurred, and the causes thereof; or any thing relating thereto, and report the same.

I have now therefore the honour to state, that I have applied to the various sources of information that are within my reach: I have examined many of the Kandyan villagers, and some of their chiefs, through different interpreters, and observed all the caution that is necessary in making such an important inquiry, and the conclusions to which I have arrived are as follows:—

First, That the Kandyan villagers, who are the cultivators of the soil, and chief proprietors, form three-fourths of the Kandyan people, and are firmly attached to the British Government and laws. That no more discontent is felt by them at the new taxes, called the gun-tax, the dog-tax, and the road ordinance, so much talked about, than is commonly felt at any new tax direct or indirect.

Secondly, The Kandyan proprietor (but not the chief or headman) bears with satisfaction the intention of the Government to make more roads, and to improve what are made, even when he is informed that they are to be made at the expense of the labour forced from himself. Reconciled at once when he finds that his headman and chief have no control over his work, but who must also contribute as well as himself to the labour.

Thirdly, The disturbances at Matella did not in any way originate with the Kandyan villagers that I have before described; nor had their feelings and sentiments any thing to do with them. But I am convinced that the priests, and some of the Kandyan chiefs, with a number of low country Cingalese, urged on the riot; induced by a variety of motives—that of plunder by the low country people, and that of embarrassing the Government on the part of the priests and the chiefs, and turning any confusion that might be created to their own advantage, or to the prejudice of their enemies.

Fourthly, The Kandyan chiefs, I am convinced, are many of them opposed to the road ordinance, and view with considerable disappointment a law which, instead of that which they had in former times turned as largely to their own emolument, and under which they wielded an arbitrary power over their own villagers, now reducing them to the level, as far as the said law is concerned, of any other of Her Majesty's subjects upon the island.

Fifthly, It is almost out of the course of possibility, that the man who was carried from the temple at Dambool in the palanquin, could be accepted by the Kandyan people as a king. He is a man of the Jaggery caste, and a low country man. He was well aware of this impediment, and kept the curtains of the palanquin drawn, and remained concealed the whole of the time he was with the rioters.

He received his share of the plunder that was taken in the town, and immediately withdrew from his followers; and the notoriety he has acquired was produced by his followers, excited by the chiefs before-mentioned, and some infamous and inflammatory papers distributed among all classes with much industry, and published by the editor of the "Observer" newspaper.

In short this is not a rebellion of the people, who are not discontented, it is a disturbance got up by the chiefs, who are dissatisfied with the liberal policy of the Government towards the

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people. Those of the Kandyan villagers, who have been found in the riot, have been compelled or inveigled by their chiefs to join it, and it is now certain without knowing with what objects.

The great body consisted of thieves and robbers. The king himself a freebooter, and his adigar a Rateymakadmeya, who was dismissed on suspicion of being concerned in a murder.

Poorangappoo, his swordbearer, was practising the same line of life about two years ago, in the neighbourhood of Badulla. He assembled about 150 followers, and robbed the villagers as he proceeded from place to place. I caused the police to go in pursuit of him, but he dispersed his followers, and escaped before they reached Badulla; and if the ringleaders of the Matella mob are properly described to me, are all of them of the character and description of the king and Poorangappoo, and outlaws.

I have, &c.

The Hon. the Colonial Secretary, Colombo.

JOHN S. COLEPEPER.
Justice of the Peace.

No. 28.

(No. 151.)

No. 28.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Answered Oct. 20,
1848, No. 299,
page 339.

Queen's House, Colombo,
August 15, 1848.

(Received October 2, 1848.)

MY LORD,

I HAVE just received from the inhabitants of Galle the petition addressed to your Lordship, which I have now the honour to forward. I am informed that it bears upwards of 2000 signatures. A hasty glance at the purport of it shows me that it much resembles, though somewhat modified, the many petitions which have been sent out at the instigation of parties in Colombo for signature in all parts of the island. The natives by this means are taught to complain of injustice, and are made to believe that the more petitions they sign, the better chance there will be of getting rid of all kinds of taxes.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Encl. in No. 28.

Enclosure in No. 28.

To Earl GREY, Secretary of State for the Colonies, &c. &c. &c.

The humble petition of the undersigned 2210 inhabitants of the town and four gravets of Galle.

SHEWETH,

1. THAT the colony of Ceylon is at present in a most deplorable position; numbers of the coffee, sugar, and other estates established by the inhabitants of this colony are abandoned, and that the traders dependent on these estates are in a ruined state, and the island, instead of daily becoming prosperous, will speedily revert to utter destruction.

2. That, by the abolition of the export duties, these petitioners are not in anywise benefited, except a few merchants, inasmuch as the Government has recently enacted several Ordinances to levy taxes instead of the said export duties, *i. e.* stamp, gun, dogs, shops, carriage, and road or body taxes; and, moreover, levying duties upon goods imported which was hitherto free.

3. That these petitioners most wofully complain against the Ordinance No. 8, of 1848; as it revives, in another form, the compulsory labour, which had been revoked and annulled on the 12th April, in the year 1832, by His late Majesty King William IV., upon the Report of the Commissioners appointed by His late Majesty, to whom the inhabitants of this colony complained, and satisfied, the evil consequences which they have then suffered from the enforcement of such services.

4. That these petitioners are bound with an import duty of rice at 7*d.* per bushel, equal to one-fourth of the cost of the article, and being the first necessary of life for the population of this country.

5. That by the Ordinance No. 2, of 1848, entitled to repeal the existing stamp, and to impose certain other duties in lieu thereof, the duties on stamps had been greatly augmented, and duties imposed on bills of lading and other instruments, which had been hitherto free, than the preceding years; and more so under the head of testamentary proceedings on probates of wills and letters of administration, as the inhabitants have to pay for the probate and letters of administration of an estate of 600*l.* sterling only, the sum of 7*l.* 10*s.*, independent of all other duties, for affidavits, accounts, bonds; and where there are oppositions for obtaining the probate, stamp is then levied by the District Court of Galle, under the head of Civil proceedings, that is to say, 12*s.* stamps for each pleading, proxy, rule nisi, &c.: whereas by the Ordinance No. 7, of 1842, the inhabitants had to pay 1*l.* only for every probate or letters of administration, independent of all other charges.

6. That the colony, especially Galle, is provided with fuel and other green vegetables by

the natives of the interior, in quantities, through the river by the boats or canoes, and that by the recent Ordinance No. 3, of 1848, imposing taxes upon boats and canoes, at the rate of 6s. per annum; thereby the natives had abstained from bringing the same, as their whole year's labour would hardly be sufficient to pay the said tax, whereby the inhabitants within the town and four gravets are greatly in want, and necessarily obliged to pay higher amounts than the past years.

7. That by the Ordinance No. 5, of 1848, entitled to make provision for the registration of certain traders, thereby the inhabitants of this colony are required to pay 1l. for the license for the purpose of trading; independent of which the said inhabitants have to pay an annual rent of such shops or boutiques, &c. to the owners thereof; and, moreover, they are further burdened with another tax of 5 per cent. on the annual rent and profit of such premises under and by virtue of the Ordinance No. 17, of 1844.

8. That the inhabitants of this colony, especially those who are residing in the interior, out of the town and four gravets, where their houses and other property are not protected, either from the police or other peace officers, are protected by dogs; and that by the Ordinance No. 9, of 1848, requiring the owners of the dogs to take out license for the same, extending throughout the whole colony, instead of the town and limits of the police, where the inhabitants are protected by the police and other peace officers; thereby the inhabitants in the interior are greatly suffering, and their property left unprotected, as some of them are unable to pay the said tax.

And, in conclusion, your petitioners humbly conceive that the colony, being in a very reduced state, the taxes hitherto levied should be relieved instead of augmenting; and the said inhabitants, who are peaceful subjects of Her Majesty, most submissively pray that the said duties may be entirely abolished, except the Ordinance levying for stamp may be reduced; and, moreover, duty on rice being improper in every respect, may be considered; and the petitioners most undoubtedly trusting that their prayer will be favourably granted, the said petitioners, as in duty bound, shall ever pray.

(Separate.)

No. 29.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

No. 29.

Answered Oct. 24,
1848, No. 303,
page 339.

Pavilion, Kandy, August 16, 1848.

(Received October 2, 1848.)

MY LORD,

1. ALTHOUGH I forwarded to your Lordship, by the mail of yesterday from Colombo, copies of the greater part of the documents which I have now the honour to enclose, nevertheless, as I am not quite certain that some of them may not have been accidentally omitted, I lose no time in sending them all together, accompanied with this Despatch, in which I take the opportunity of offering to your Lordship a few remarks.

2. The Document No. 1 is the original letter addressed to me by Sir Herbert Maddock, forwarding to me a copy of the resolutions adopted at a public meeting of the inhabitants of Kandy, of which he was chairman, together with a detailed account of the proceedings of that meeting, and of the sentiments which were expressed on the occasion by those gentlemen who proposed and seconded the resolutions which were adopted.

3. The document No. 4 is one of considerable importance at the present juncture, as conveying the expression of the opinions and feelings of the influential chiefs of the important district of Kotmalie, in which a large proportion of the most extensive and valuable coffee plantations are situated. On the part of themselves and the people of their district, they express their attachment to, and confidence in, the British Government; and they draw a striking contrast between the condition of the inhabitants under the tyranny of the Kandyan kings, and their present prosperity under the English rule. I am further informed, since my arrival here this day, that similar manifestations of public feeling are in progress throughout other parts of the Kandyan districts.

4. In my Despatch transmitting the latest intelligence furnished to me by Sir Emerson Tennent yesterday, at Colombo, I forwarded a copy of an address signed by upwards of 2000 of the native inhabitants of the district of Udepalate, to the south of Kandy, expressive of their attachment to the British Government, and their aversion to the present attempt in some quarters to weaken their feelings of loyalty

I beg to invite your Lordship's attention to that document, of which I enclose another copy, and which I have received with the greater satisfaction from its

No. 1.

No. 2.

No. 3.

No. 4.

No. 5.

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having been entirely unexpected. I regret that I am unable to send another copy of it with this Despatch.

5. It will afford your Lordship the utmost satisfaction to learn, that the information which I have this moment received from Colonel Drought, the commandant, and other public officers on the spot, is entirely satisfactory. The disturbances have been limited to the districts in which they originally broke out; dissatisfaction has not spread in any other quarters, and the precautions already taken, and which will for some time be strictly maintained, are such that I do not apprehend that any further violence will take place, or that the alarm will be further extended.

6. Nevertheless, the pretended king is not yet apprehended, and his brother, who was at first believed to have been executed at Kornegalle, is also still at large, and the prisoner who was shot on that occasion was only one of the principal adherents of the impostor; they cannot, however, long remain in their present concealment, as the people generally are undeceived as to their pretensions, and numbers of the natives are in active pursuit of them, allured by the reward in prospect.

7. I cannot close this Despatch without alluding to the expression of thanks which I have felt to be due from me to Sir Herbert Maddock, for the support which he has given to my Government and the cause of public order and tranquillity on the present occasion.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

Encl. 1 in No. 29.

Enclosure 1 in No. 29.

MY LORD,

Kandy, August 14, 1848.

At the request of a highly-respectable meeting of inhabitants of this town and neighbourhood, held this morning, by permission of the Commandant, in the rooms of the Kandy library, of which meeting I was Chairman, I have the honour to submit, for your Excellency's information, the enclosed copy of the resolutions, passed unanimously, and to express my own concurrence in the sentiments embodied therein.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.,
T. H. MADDOCK, Chairman.

Encl. 2 in No. 29.

Enclosure 2 in No. 29.

RESOLUTIONS unanimously adopted at a PUBLIC MEETING, held, by permission of the Commandant, at the KANDY LIBRARY, August 13, 1848; the Hon. Sir T. H. MADDOCK, in the Chair.

1st Resolution—

Moved by R. D. Swan, Esq.
Seconded by R. D. Gerard, Esq.

That this Meeting tenders its cordial thanks to the local Government for the prompt and energetic measures taken to suppress the rebellion lately raised within this and the other districts of the Kandyan provinces, and for the protection of the lives and properties of Her Majesty's peaceable and loyal subjects.

2nd Resolution—

Moved by W. R. Gaskell, Esq.
Seconded by C. Morrison, Esq.

That this Meeting feels confident that no general disaffection to the British Government exists among the mass of the Kandyan people, except, perhaps, in certain districts, and is of opinion that the lower orders have been incited to tumultuous assemblages and violent measures by ill-disposed persons, amongst whom are many chiefs, petty headmen, and priests.

3rd Resolution—

Moved by Rev. S. Owen Glenie.
Seconded by A. Adams, Esq.

That the thanks of this Meeting are due to Colonel Drought for the effective and judicious manner in which he has carried out the measures of Government, and for the ready assistance he has given in cases where his aid and protection were solicited.

4th Resolution—

Moved by George Wall, Esq.
Seconded by T. Hunter, Esq.

That this Meeting view with regret the unworthy attempt lately made by certain parties to charge the late disturbances upon undue display of the military, and records its opinion that

the interference of military force was peremptorily required, and most opportunely and judiciously exercised.

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5th Resolution—

Moved by J. Keith Jolly, Esq.

Seconded by J. J. Staples, Esq.

That the thanks of this Meeting be given to the Hon. the Chairman for his obliging conduct in the Chair, and that he do kindly forward a report of the proceedings, with a copy of the Resolutions, to his Excellency the Governor, and a copy of the third Resolution to Lieut.-Colonel Drought.

T. H. MADDOCK, Chairman of the Meeting.

Enclosure 3 in No. 29.

Encl. 3 in No. 29.

REPORT of the PROCEEDINGS of a PUBLIC MEETING held, by permission of the Commandant, at the KANDY LIBRARY, on August 14, 1848.

ON the motion of Mr. Hadden, seconded by Mr. Staples, and unanimously carried, the Hon. Sir Herbert Maddock was voted into the Chair, on taking possession of which he addressed the meeting as follows :—

Gentlemen,—Had the object of this meeting been to discuss matters of mere local interest, I should not have been present at it, but the motive of your assembling here to record your sentiments on very important political occurrences appears to me to be so proper, that I feel happy to avail myself of the honour of taking a part in your proceedings.

You are, as I understand from the tenor of the proposed resolutions, desirous to record your grateful sense of the obligation under which the community lies to the Executive Government of this island for the wise and energetic measures by which rebellion has been crushed, and protection has been afforded to all but a portion of the province.

I fully and most cordially concur with you in expressing my high appreciation of the able and well-arranged plans of the Government in Colombo, of the prompt and efficient distribution of its military resources in such a manner that, with the exception of those districts where the insurgents, appearing unexpectedly and in great force, were enabled to overrun the country, and spreading havoc and destruction in their path, before the military could reach them, has preserved the lives and properties of the European settlers, and all other loyal and peaceful subjects in all other parts of the province; and I unhesitatingly state my belief that you are directly indebted to the able person at the head of the Government for the security and comparative tranquillity which now everywhere prevail.

Being here as a casual visitor in search of health when this audacious and insane attempt was made to throw the whole country into revolt, and to subvert the authority of our gracious Sovereign in these provinces, I was naturally led to inquire what sufficient causes were in existence to justify the subject in rising in open rebellion against the Government of the country, and I can plainly and confidently state that I have been able to discover no cause whatever to be urged in excuse for the enormity of the offence of those who have led and excited the people to revolt against the Queen's Government.

Where gross oppression is practised by the rulers of a country, where the rights and privileges and legitimate authority of the upper classes are infringed, where the liberties and property of the people are violated by those in authority, discontent will naturally prevail; and when all peaceable measures of remonstrance and appeal are found to be ineffectual, the people may be justified, as a last resource, in taking up arms in order to rid themselves of intolerable tyranny. Is such the case in Ceylon generally, or in these provinces particularly? Every one of sense and reflection will reply in the negative. Contrasting the condition of all classes of the people of these provinces with that of other Asiatic countries, you will find that the Cingalese in this part of the island have been treated by their rulers with a degree of attention and liberality rarely to be met with on the adjoining continent of India. The religion of the people has been preserved inviolate, and the most scrupulous regard has been shown to the feelings of the upper classes. I find the edicts and regulations of the Government full of provisions to secure the maintenance of all the attributes of rank and superiority claimed by the higher classes; and if some of the almost puerile distinctions in matters of dress and etiquette are now falling into disuse, it is not at the dictation of the Government, but owing to the good sense and superior civilization now dawning upon some of the chiefs themselves; and that their superiority and authority have not been virtually, have not been wantonly, infringed, you have abundant proof in the unbounded influence which has so lately and so fearfully been excited by them to array their followers and dependents, and the poor villagers who were unfortunately too subject to their power, in open revolt.

Actuated by criminal ambition to govern the country themselves, they selected an obscure individual, whom they clothed in the garb of royalty, and, at their bidding, the ignorant inhabitants attended them in tens, and hundreds, and thousands, to prostrate themselves in homage before the puppet which they had set up, and to follow him in arms in support of his usurped authority. It is clear to me that the measures of the Government cannot have been such as to infringe the legitimate authority of the upper classes, or such an astounding exercise of their influence would never have been witnessed.

Then as to more substantial causes of discontent, which are sufficient in other countries to account for revolt, such as grinding and oppressive imposts, the impressment of the people for military or other service, and arbitrary interference with private property. I look in vain for

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any such causes in the British administration of these provinces. On the contrary I find the conduct of the Government marked by a degree of liberality and self-denial almost unprecedented. You are aware that in Asiatic kingdoms almost universally the sovereign is the sole proprietor of the soil, and in many is sole master of the lives and services of all classes of his subjects. Ceylon was under its native princes no exception to the general custom. No man, high or low, could boast of proprietary rights independent of the sovereign. Whatever they enjoyed of rank, dignity, or possessions, was held in reality at the good will or caprice of the arbitrary head of the state. The kings of England succeeded by conquest and by agreement with the chiefs to all the powers of the former dynasty. But instead of selfishly taking advantage of all the resources of the country thus placed at the command of the Government, a benevolent and confiding system of rule has gradually been introduced, under which the peasant has been liberated from the obligation of compulsory and unpaid service to the State, and every occupant of the soil has had conferred upon him in free gift an actual proprietary right in that which formerly belonged without dispute to the Crown. And the return which he has been called upon to make for this incalculable boon is a portion of the produce of his lands, so light as to entail no hardship whatever. I can tell you that there is no division of the whole continent of India under the government of the East India Company, and that government has the character of being just and beneficent to its subjects, where the lands are half so lightly taxed. If that government derived no greater proportionate revenue from the soil than is realized in Ceylon, the administration of that vast empire could no longer be carried on, and I have no hesitation in stating my opinion that the land in Ceylon does not now contribute adequately its share to the expenses of the State.

On this score, therefore, there can be no pretence of a grievance. On the contrary, the people of all classes ought to be impressed with the most lively feelings of gratitude to the Government for its forbearance and liberality. There are other recent taxes which are said to have created dissatisfaction, but that dissatisfaction where it exists has arisen, I am credibly informed, from exaggerated mis-statements, on the part of seditious chiefs and headmen, of the objects and ulterior designs of the Government. To such persons themselves these small imposts must be of such trifling importance, as to have been beneath their notice excepting as a means of exciting discontent among the lower orders, and thus more readily leading them into the fearful rebellion in which so many have engaged. I observe that one of the resolutions to be proposed to this meeting, expresses great confidence in the unshaken loyalty of the great mass of the people in the greater portion of these provinces. You, gentlemen, who live among the people, and have constant opportunities of intercourse with them, ought to be the best judges of the feelings which prevail among them, and I rejoice therefore to find you bearing testimony to their unshaken fidelity, notwithstanding the efforts which have been industriously made to render them disaffected. I rejoice at this the more because I feel confident that, if your impressions are correct, it will be impossible for those who have been at the head of this rebellion, and who are now skulking in the depths of the forests, to remain long undetected and unapprehended, and the early capture of the pretender or pretenders to the throne will at once enable the authorities to proclaim the return of peace and tranquillity which cannot well be done while these infatuated persons are at large.

One object of our meeting here this day is to record a grateful sense of the obligations which we feel to the commandant at Kandy, and to the officers and troops who have been successfully employed under his orders. I can bear personal testimony to the admirable manner in which Lieut.-Colonel Drought has acquitted himself of the important and difficult, and in many instances the embarrassing duties which he has had to perform, since by the proclamation of martial law he became vested virtually with the sole and entire government of the disturbed territory. You know how promptly he has night and day attended to all your representations, how effectually he has assisted you in the protection of your property, and how valuable have been his encouragement and advice in restoring confidence, and thus enabling you by your own means to maintain peace and order in and around your own estates. You were ungrateful if you failed to acknowledge the great services which this gallant officer has rendered, and for the military measures conducted under his authority: I can only say that according to my judgment it is impossible that anything should have been more ably and more successfully conducted. The rapidity with which the troops were moved to the scenes of disturbance, and the admirable manner in which they dispersed the immense collections of rebels arrayed against them, possess a value which can only be appreciated by those who will take the trouble to reflect on what would have been the consequences of hesitation or delay at that moment, and what would have been the future prospects of all concerned in the undertakings of industry in these provinces if the insurgents had once been permitted to show themselves in the wooded hills, which surround this beautiful valley, in overpowering numbers. Under such an officer as Colonel Drought, the handful of men at his disposal has enabled him to secure this great and prosperous town, and all the country around from the least injury or outrage of any sort, and he will through life have the honest satisfaction of knowing that he has done his duty well.

It was not my intention to have addressed the meeting at all, but I find I have been unable to refrain from offering a few observations to you, and I would now propose, gentlemen, that we proceed with the business for which we have assembled.

The honourable baronet then resumed his seat amid loud and unanimous applause, and Mr. R. D. Swan rose to move the first resolution, which he briefly prefaced. Mr. R. D. Gerard seconded the resolution, and it was carried unanimously.

1st Resolution—

Moved by Mr. R. D. Swan.

Seconded by Mr. R. D. Gerard.

That this meeting tenders its cordial thanks to the local Government for the prompt and energetic measures taken to suppress the rebellion lately raised within this and the other districts of the Kandyan provinces, and for the protection of the lives and property of Her Majesty's peaceable and loyal subjects.

Mr. W. R. Gaskell, in moving the second resolution, said he was sure it was one in which all who knew anything of the Kandyans would readily concur. All who had lived amongst them, as many of the gentlemen present had done for many years, must feel convinced that amongst the mass of the Kandyans there was no disaffection towards the British Government. On the contrary they acknowledged the many benefits they had received under the British rule, and amongst them, especially, the equitable administration of justice; a thing almost unknown to them under their own kings. The corruption of the priests and headmen was then the only means by which a man could obtain a favourable decision on his case, and it was these priests and headmen who had now endeavoured to stir up disaffection towards Her Majesty's Government in the Kornegalle and Matella districts, and they had to some extent succeeded; but that there was in other districts any general disaffection he entirely disbelieved.

Mr. C. Morrison seconded the resolution, and it was carried unanimously.

2nd Resolution—

Moved by Mr. W. R. Gaskell.

Seconded by Mr. C. Morrison.

That this meeting feels confident that no general disaffection to the British Government exists amongst the mass of the Kandyan people, except perhaps in certain districts; and is of opinion that the lower orders have been incited to tumultuous assemblages and violent measures by ill-disposed persons, amongst whom are many chiefs, petty headmen, and priests.

The 3rd Resolution was moved by the Rev. S. O. Glenie, who said there was a popular notion prevalent that the less ministers of religion interfered with political matters the better, and as a general proposition he for one admitted its correctness. No one could be more out of his place than a clergyman abetting proceedings or attending at meetings whose objects, avowed or thinly concealed, were to excite disaffection against our rulers, and where dignities were evil spoken of. But on an extraordinary occasion like the present, where parties were met together to testify their loyalty to their Sovereign and their gratitude to the Government for its care of their lives and property while rebellion was stalking abroad, it was surely allowable in one, whose province it was to teach men to honour the Queen and all that are in authority under her, to come forward as a British subject, as well as a minister of the British Church, and give utterance to his opinions. It was, therefore, with sincere pleasure that he moved the Resolution entrusted to him expressive of the thanks of the meeting to our gallant soldiery; and more particularly so as he had had opportunities of witnessing and consequently could bear personal testimony to the promptitude, energy, and courtesy, displayed by Colonel Drought and all under his command. He did not forget, and hoped no one present did, that while by its bravery and discipline our noble army had contributed to raise to its present pitch of unequalled greatness the British Empire, they could boast the proud distinction so grateful to all Englishmen who knew and valued the blessings of their free Constitution, that while their arms had ever protected us from our enemies, they had never been turned against the liberties of their country.

Mr. A. Adams seconded the Resolution and it was carried unanimously.

3rd Resolution—

Moved by the Rev. S. O. Glenie.

Seconded by Mr. A. Adams.

That the thanks of this meeting are due to Colonel Drought for the effective and judicious manner in which he has carried out the measures of Government, and for the ready assistance he has given in cases where his aid or protection were solicited.

Mr. Wall, in proposing the 4th Resolution, said there was no duty the performance of which was more grateful to a loyal subject than to acknowledge the wisdom and excellence of the measures of Government, and none to which he was more reluctant than to complain of them. The present was a noble opportunity for testifying to the energy and promptitude of Government in saving life and property, and repressing disorders which had placed in jeopardy the safety of peaceable subjects and their property. No one present could reflect on the danger from which he had been delivered by the prompt efforts of Government, without deprecating in the strongest terms an attempt so unworthy as that which had been made by certain parties to charge the late outbreaks on undue display of military force, and every one present would join him in the opinion that that force had been most imperatively required and most wisely directed.

Mr. Thomas Hunter seconded the Resolution, and it was unanimously carried.

4th Resolution—

Moved by Mr. George Wall.

Seconded by Mr. Thomas Hunter.

That this meeting views with regret the unworthy attempt lately made by certain parties to charge the late disturbances upon undue display of the military, and records its opinion that the interference of military force was most peremptorily required and most opportunely and judiciously exercised.

Mr. Jolly then proposed the 5th Resolution, which was seconded by Mr. J. J. Staples, and unanimously carried.

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5th Resolution—

Moved by Mr. J. K. Jolly.

Seconded by Mr. J. J. Staples.

That the thanks of this meeting be given to the Honourable Sir T. H. Maddock for his obliging conduct in the Chair, and that he do kindly forward a report of the proceedings, with a copy of the Resolutions, to his Excellency the Governor, and a copy of the 3rd Resolution to Lieutenant-Colonel Drought.

The meeting then dissolved.

T. H. MADDOCK, Chairman.

Amongst the parties present at the meeting were the following:—

Sir T. H. Maddock.	B. E. Hancock.
Rev. S. O. Glenie.	R. D. Swan.
J. J. Staples, Esq.	— Simson.
Messrs. Morrison.	J. K. Jolly.
R. D. Gerard.	T. Viner.
A. Adams.	J. Bell.
T. Hunter.	A. Romer.
F. J. Hadden.	Loko Baudar.
W. R. Gaskell.	De Saram.
Geo. Wall.	W. J. Bartu.
D. Bell.	J. A. Dunawille.
G. E. Dalrymple.	— Whitehouse.
J. B. W. Dowdall.	— Jaybellike.
J. Simpson.	Rev. — Labroye.
T. Frickleton.	

Encl. 4 in No. 29.

Enclosure 4 in No. 29.

(Translation.)

To the GOVERNMENT AGENT for the Central Province.
&c. &c. &c.

ON the occasion when information was taken regarding the produce of this district we, the Undersigned, explained to the people that it was done so for the purpose of knowing their increase, when we came to know that, the inhabitants were much pleased and glad for the improvement of the produce.

The inhabitants of some of the districts imagined that a tax will be taken to Government on these, and assembled in Kandy on the 6th and 8th July last to represent the matter, when it was explained to them by a Government notice that no tax would be levied on them, for which few of the people that doubted and all the rest give very many thanks to Government. We, and all the inhabitants of our district, regret much for the useless attempt made by some of the evil-disposed, wicked, and disloyal people of some of the districts against this high and merciful British Government, to meet their own ruin and to deprive the people of their present prosperity.

Owing to the severe punishments and numberless Rajekaria services imposed on the people of every part of the country in the time of the Kandian government, they had no rest whatsoever and reduced to a state of poverty in every way; but in this Government all the said Rajekarias were abolished, improved in every way, and live comfortably. Intending that we will not get a government which is so merciful towards the inhabitants than the high British Government, live day and night, being obedient and loyal to this Government; and we beg to represent that when any person who are against this high Government enter our district, we, and all the inhabitants of this district, are willing to assist Government and do everything needful.

These represented by—

1. Wellegedere Phudianse Rattenahatmaya, of Kotmalie.
2. Zapaudianselay Ukkoo Banda Koralle, of Udepone. (Signed) Ukkoo Banda.
3. Akubbale Jayesoondere Mudianselay Appoohamy Koralle, of Paleepane. (Signed) Appoohamy Coralle.
4. Panebookke Guneralunnanse, residing at the Posolpitia Pansala.
5. Nissangedere Menickralle Aratchy, of Kadedore. (Signed) Manickralle Aratchy.
6. Hemedaljodegedere Mudelihamy Aratchy, of Tispone. (Signed) Moodelihamy Aratchy.
7. Kapuhannakelaygedere Appoo Aratchy, of Waltaddore. (Signed) Appoohamy Aratchy.
8. Helcoombooregedere Keeralle Aratchy, of Mategame. (Signed) Kerealle Mategam Aratchy.
9. Kalanchigedere Rauhamy Aratchy, of Madecomboore. (Signed) Rauhamy Aratchy.
10. Valijodegedere Appoo Aratchy, of Adegame. (Signed) Appoo Aratchille.
11. Dassanaikgedere Punchiralle Aratchy, of Mangandore. (Signed) Punchiralle Aratchy.
12. Helecoombooregedere Appoo Aratchy, of Mallhawe. (Signed) Appoo Aratchy.
13. Kalnigoaratchillagedere Appoo Aratchy, of Moroney. (Signed) Appoo Aratchy.

14. Attepaltoogedere Punchiralle Aratchy. (Signed) Punchiralle Aratchy.
15. Kandecomboorey Punchiralle Aratchy, of Kalepitia. (Signed) Punchiralle Aratchy.
16. Sirihelapadigedere Sirimala Durea, of Mawelle. (Signed) Sirimala.
17. Kotowegedere Sikoradi Leamia Ukkoa.
18. x Signature of Naweratuemudianselay Appoohamy Kapuralle.
19. Pallegedere Rampatukkoa Durea. (Signed) Akkooa Durea.
20. Vedesuihepadigey Akkooa Durea, of Panangammane. (Signed) Ukkoa Durea.
21. Atkanntenne Drugawa Durea, of Kumballalowe. (Signed) Diregawa.

I beg to represent that we all with one accord expect to keep for ever the loyalty and faithfulness that exists in us all the inhabitants of this district, at present to this high British Government.

(Signed) W. R. BANDA.

Dated August 10, 1848.

Translated by me,

J. W. DE SILVA.

Enclosure 5 in No. 29.

Encl. 5 in No. 29.

(Translation.)

ADDRESS of the NATIVES to his Excellency the Right Honourable Viscount TORRINGTON, Governor and Commander-in-Chief in and over the British Settlements and Territories, in the Island of Ceylon and dependencies thereof.

The humble and dutiful Address of the undersigned Inhabitants of Udepalate.

We beg to express our following sentiments in reference to the recent disturbances and rebellion which were got up by the inhabitants of Kurnegolle and Matelle, they being led thereto by their own wicked imaginations.

We beg to assure your Excellency that we are firmly determined uninterruptedly to pay the British Government our sincere allegiance, and to preserve public peace and order in our respective villages always.

We are of opinion that the inhabitants of Doombura and other districts, who recently assembled in the town of Kandy to complain of their alleged grievances at the taxes which the Government ordained, were induced to do so by a want of due consideration of the state under which they had lived during the reign of their former kings, and without considering the extreme injustice and the tortures which they had been subjected to, and not minding that their time, lives, and property, were then held subject to the caprice of their kings.

We are also sensible that we are not only at present free from such injustice and wrongs, but that the British Government is merciful towards the inhabitants of our districts; and that the Government is not only actuated by good will towards us, but that if anything were done in our behalf it would be done for the purpose of promoting our own welfare.

We are fully sensible that the Government taxes are ordained for the general benefit of ourselves, and therefore, not only we, but our future generations, will cheerfully pay such taxes.

We not only extremely regret that certain inhabitants of some of the districts, from want of due consideration of the benefits intended to be conferred upon them by the recent Ordinances, should have dissatisfied their minds, and thereby promoted rebellious acts against the Government; but we beg to offer very many thanks to Government for the manner in which those disturbances have been put down, and fully appreciate the means adopted for their suppression.

We consider that the Ordinance which requires us to work on the roads only for six days in the year is a just one, more especially, because provision is therein made, whereby those who are unable or unwilling to work should pay a commutation tax of three shillings instead of labour. The formation of roads is a very necessary thing, and that they, the roads, are calculated to do good to ourselves. It is, therefore, our duty to do our utmost to promote the making of roads.

We, lastly, beg to express our confidence in your Excellency's benevolence, discretion, and discrimination to distinguish between right and wrong, and submit our veneration to your Excellency, and to assure that we are always ready and willing to obey your Excellency's commands.

(Here follow the signatures, 2000 in number.)

Translated by W. JAGATHILLEKE,

Kandy, 14th August, 1848.

(A true Copy.)

J. EMERSON TENNENT.

CEYLON.

(No. 161.)

No. 30.

No. 30.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON
to Earl GREY.

Queen's House, Colombo, September 13, 1848.

MY LORD,

(Received October 31, 1848.)

I HAD the honour to forward to your Lordship the duplicate of a petition which was sent direct to your Lordship by the last mail, without passing through my hands.

2. It was signed, as I understand, by upwards of 500 Buddhist priests of the Southern Province, and the purport of it is to pray that they may be relieved from the liability to work or to pay a commutation in lieu of their personal labour for six days in the year, under the provisions of the Road Ordinance No. 8, of 1848. They state that it is contrary to the tenets, of their religion as Buddhist priests either to labour with their hands or to possess money.

3. The original view of the Government, which was perfectly aware of this prospective difficulty in the working of the Road Ordinance, was, that the priests would be able to procure substitutes (temple tenants, for instance) to work for them. This would have been quite consistent with both the spirit and the provisions of that Ordinance.

4. A revision of some of the enactments will shortly take place, on the meeting of the Legislative Council, and it is only further necessary for me here to remark, that one of the alterations will doubtless be, the exemption of certain classes or individuals named from the strict operation of the Ordinance, so far as concerns personal labour.

5. Under these circumstances there is every prospect that the object of the petitioners in addressing your Lordship may be attained by the voluntary act of the local Legislature

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Encl. in No. 30.

Enclosure in No. 30.

To the Right Hon. Earl GREY, Her Majesty's Principal Secretary of State for the Colonies, &c. &c.

The humble petition of the undersigned Buddhist priests residing in the district of Galle, within the southern province of the island of Ceylon,

HUMBLY SHEWETH,

THAT by the Ordinance, No. 8 of 1848, passed by the Legislative Council of this island, every male between the age of 18 and 55 years residing in Ceylon, with the exception only of the Governor and military persons, is liable to perform six days' labour in a year, or commute the same by paying 3s. as substitution, and that the petitioners not being exempted most humbly beg leave to submit the following circumstances to your Lordship's generous consideration, with the full hope of being excused for intruding on your Lordship's precious time.

That the petitioners and other Buddhist priests and laymen of the island are entirely depending on the generosity of the Buddhist population who feed the petitioners during four months in the year, and in eight months those that have not a proper and fixed residence, wander from place to place, and the rest remain in their respective temples begging for meals from house to house, yet performing the usual ceremonies in the temples, and visiting sick, and attending on funeral ceremonies; in none of these occasions they receive anything more than the usual meals and a piece of cloth.

That the rites of the Buddhist religion prevents its priests particularly possessing money, or other property, even robes, more than what is actually necessary. They are prohibited from cutting solid ground beyond the depth of an inch, and pulling out, cutting, or otherwise destroying any plants, herb, or tree whatever. They are at least prohibited from all manner of work or labour for their maintenance or worldly prospects, or assist others in work but for the benefit of the soul, and no priest should walk out of the temple without proper suit or robe which covers the whole body; should they violate either of their rites they are no priests, and according to the religious principals they cannot be saved, as the work or labour is inconsistent, and could not be performed until they are under that cloak, and commute the labour for a yearly payment. The petitioners are disqualified, for they possess no money or other property which are suitable to convert into money, nor can they beg for pecuniary assistance. The petitioners

do not deny that there are priests who possess temples and property, but the produce thereof is always used for the improvements of such temples at the discretion of the principal inhabitants. But most of the Buddhist priests in the island possess no temples or other property; as for begging money, or handling the same, they, as have been already asserted, are prohibited. It is, therefore, utterly impossible for them to pay tax in money.

That the Buddhist priests are, during 18 hours, daily fasting, and are allowed six hours, commencing 6 A.M., to seek for meals and enjoy before 12 at noon, the petitioners being well accustomed in this fasting, do not appear weak in body or form, but they are actually unfit for labour.

That 316 years before Christ Buddhism was established in Ceylon; the Buddhist priests and their places of worship have been always excluded from all labours and taxes by the king of Kandy, as well as by Portuguese and Dutch, and also by this merciful Government till the passing of the present Ordinance. And that no Ordinance or minute was ever passed in Ceylon imposing any labour or tax on priests against the rites, and to the contrary, they were always assisted and indulged; and according to the convention between the English Government and the Kandians, when Kandy was taken in 1815, it appears that the religion of Buddha is declared inviolable, and its rites, ministers, and places of worship are to be maintained and protected. Should the petitioners not be exempted from this oppressive tax, they will be compelled to work, whereby they would not only infringe the rites of their religion, but inviolate the same completely, and their prospects in a world to come will be blighted, for which they have been labouring all their life.

Therefore, and under these circumstances, your Lordship's poor petitioners most humbly crave that they may be exempted from the said Ordinance, by doing which the Government will confer on them the boon of everlasting happiness.

For which act of great favour and indulgence the humble petitioners, as in duty bound, will ever pray.

Here follows 550 signatures.

Point de Galle, August 18, 1848.

(No. 162.)

No. 31.

No. 31.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

MY LORD,

Queen's House, Colombo, September 13, 1848.

(Received October 31, 1848.)

SINCE the date of my Despatch from Kandy, by the last mail of the 16th of August, a great number of addresses have been presented to me from various districts, principally within the central province, having for their object generally to express the satisfaction of the inhabitants at the measures adopted by Government for the suppression of the insurrection, and conveying to me, in some instances, their perfect acquiescence in the policy which has been pursued.

2. The first of these addresses was presented to me by a deputation of the Singhalese, Moorish, and Malabar inhabitants of the town of Kandy, at the Pavilion, shortly after my arrival there. The reply which I made to them is likewise enclosed.

3. The next is an address from the principal inhabitants of a portion of the district of Hewahette, in the neighbourhood of Kandy, which not only conveys the expression of their loyalty, but, what is of some importance at the present time, announces their desire to commence, without delay, the formation of a road through the district, the trace for which was made three or four years ago, but which, by lapse of time, has become nearly obliterated. They voluntarily offered to undertake this work, irrespective altogether of the road Ordinance, and merely asked for the use of tools and implements from the Government, and a small sum of 30% for petty expenses. I have not failed to give every reasonable encouragement to a proposal so opportunely and advantageously made.

4. The next address is from the inhabitants of the district of Wallapanny, in the central province, formerly one of the most disturbed and troublesome parts of the Kandian country. It tends to show that the people had been generally deceived by their headmen, as to the intentions of Government, and that it only required the removal of their misapprehensions to bring them to a just and loyal appreciation of its real objects.

5. Another address is from the inhabitants of Udunuwera and Yattinuwere, two important districts within the Kandian province, signed by all the principal

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CEYLON.

chiefs and headmen, conveying the expression of sentiments very similar to those before made known in the addresses already mentioned.

6. Another address of a very similar character has also been presented to me from the inhabitants of Saffragam, which forms a portion of the original Kandian territory, of considerable importance on account of the great influence of the priests, and the vast landed possessions belonging to its temples.

7. Lastly, I have much pleasure in forwarding an address from the native merchants, traders, and other respectable Hindu inhabitants of Colombo, signed by not less than 1056 persons. These form the most active and enterprising class of traders throughout the island; they have connexions in all parts of the interior, and their known wealth and trading habits give them vast influence with the native Singhalese. The object of the address is simply to thank the Government for the prompt and energetic measures which had been adopted.

8. I have felt it to be my duty to transmit these various documents to your Lordship, not so much with the object of self-congratulation upon the success of the measures which have been taken for the suppression of these disturbances, but rather with a view of giving the different classes of native inhabitants an opportunity of avowing their sentiments through me to your Lordship, and of showing that whatever pains may have been taken to get up petitions against the measures of Government by parties who have purposely misled the people as to the design of those measures, the great mass of the inhabitants, when their minds have been disabused of errors, are loyal and well disposed towards the Government.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Encl. 1 in No. 31.

Enclosure 1 in No. 31.

(Translation.)

At a meeting of the Singhalese, Moorish, and Malabar inhabitants of the town of Kandy, held this day at the school-room of the Church Missionary Society in the Trincomalee-street, the following three resolutions have been unanimously passed:—

1st Resolution—

Moved by Mr. James A. Dunuwille.

Seconded by Mr. Don Andries Jayeteleke.

“That, viewing the position of the town of Kandy in reference to the districts of Matelle and Seven Korles, which have raised or joined in the recent rebellion against Her Majesty’s Government, and considering that if the said rebellion had not been timely checked the lives and property of the inhabitants of this place would have been exposed to imminent danger, this meeting feel it to be their duty most especially to render their sincere and heartfelt thanks to his Excellency the Governor for the prompt, energetic, and successful efforts made by the local Government for the suppression of the said rebellion almost at its very onset; and to record their opinion, that to the adoption of those measures alone are to be attributed the speedy restoration of public peace and the dispelling of the very general alarm felt by the residents of this town.”

2nd Resolution—

Proposed by Mr. David de Alwis.

Seconded by Mr. Dunuwille, Tikery Banda.

“That this meeting cannot help expressing its opinion that the rebellion which broke out at Matelle had been planned by an imposter calling himself a ‘prince,’ and that it had its origin long before the enactment of the recent tax Ordinances.”

3rd Resolution—

Moved by Mr. Parengome Mudianse.

Seconded by Mr. Sedde Lebbe, Headmoorman.

“That this meeting further consider it to be its bounden duty, at a time like the present, to express most forcibly, and in language not to be mistaken, that it holds the rebellious acts of the inhabitants of Matelle and Seven Korles in utter abhorrence and detestation, and to assure his Excellency of the loyalty of the inhabitants of this town to Her Majesty’s Government, and of their firm determination to stand by it.”

(Signed) J. A. DUNUWILLE, Chairman.

Kandy, August 18, 1848.

A true Copy.—WILLIAM CHAS. GIBSON.

Enclosure 2 in No. 31.

CEYLON.

REPLY of his Excellency the GOVERNOR to a Deputation appointed at a Public Meeting of the Singhalese, Moorish, and Malabar Inhabitants of the Town of Kandy, held on Friday the 18th August. Encl. 2 in No. 31.

THE three resolutions which you have now presented to me on behalf of the native inhabitants of Kandy, who were assembled at a public meeting held yesterday in this town, are of the highest importance, as conveying to me the sentiment of loyalty of the great body of the influential inhabitants, and their firm determination to support the authority of Her Majesty's Government.

I am much gratified to learn that you fully appreciate the value of the prompt and energetic measures which have been adopted for the suppression of the rebellion in the district of Matelle and Kurnagalle, and for the preservation of tranquillity generally, as well as for the protection of the inhabitants of this town. The success of those efforts has already restored the current of mercantile business to its regular and ordinary course; and I have every confidence that those inhabitants of the rural district who have temporarily fled in fear from their homes will shortly return to resume their usual and peaceful occupations.

I have received from you, with much satisfaction, the confirmation of the opinion which I had previously been led to form,—that the rebellion in the district of Matelle was not of recent origin, but that it had been long planned, and was only waiting an opportunity to burst forth before the enactment of the recent Ordinances.

The open expression of your sentiments upon this subject cannot fail to be productive of advantage to the community at large.

I trust that the restoration of tranquillity in all parts is not far distant, and that peace and contentment will for the future be completely assured.

Pavilion, August 19th, 1848.

Enclosure 3 in No. 31.

Encl. 3 in No. 31.

HIS Excellency the Right Honourable the Governor is pleased to direct that the following Address from the native inhabitants of Megodetihe, in the district of Hewahette, be published for general information.

By his Excellency's command,

Colonial Secretary's Office,
Colombo, 2nd September, 1848.

W. MORRIS,
Acting Assistant Colonial Secretary.

(Translation.)

To his Excellency the Right Honourable Lord Viscount Torrington, Governor and Commander-in-Chief in and over the British settlements and territories in the island of Ceylon, with the dependencies thereof, &c. &c.

The humble Address of the inhabitants of Megodetihe, of the district of Hewahette.

WE, the undersigned inhabitants of Megodetihe, of the district of Hewahette, beg leave to assure your Excellency, in common with the other peaceable and loyal subjects of this island, that we are deeply sensible of the inestimable advantages which we with the rest of the people of this country enjoy under the British Government, and that we most sincerely abhor the disloyal and rebellious conduct of the inhabitants of the Seven Korles and Matella, who have created the recent disturbances.

We are equally alive to the great importance of putting down all such disturbances at their very beginning, and of the necessity of adopting most severe measures to punish the disloyal, and cannot too strongly appreciate or hold in estimation the mode in which this rebellion has been crushed.

We, therefore, unfeignedly thank your Excellency, and are grateful to Government for causing thus speedily the restoration of the public peace.

As regards the recent Road Ordinance, we cannot hide from your Excellency the fact of our having been some time ago most erroneously informed of the intentions of Government in respect thereof, as also of the false reports which gained circulation in our country in respect of the other alleged imposts. Hence the very great alarm we once felt; but now seeing what are the real intentions of Government, and knowing that we of all the other districts are mostly in want of a public road, we feel quite satisfied of the urgent necessity of having such a road opened through our country, and have already expressed to Government our readiness, through our Ratamahatmeya, to commence operations in regard to the forming of that road immediately. We have no doubt that, with some little sacrifice of our time or money towards this object, the road now traced by our Government Agent will be soon completed. If our offer to commence work immediately be approved of by Government, we are every way inclined to do so, even before the Ordinance comes into operation.

Assuring your Excellency once more of our firm attachment to Government, and our confidence in the British rule of this country, we remain

Your Excellency's most devoted and humble servants,

Kandy, 21st August, 1848.

(Signed by 119 inhabitants.)

A true Copy,

WILLIAM CHAS. GIBSON.

CEYLON.

Enclosure 4 in No. 31.

Encl. 4 in No. 31.

HIS Excellency the Right Honourable the Governor is pleased to direct that the following Address from the native inhabitants of Walleponey district, be published for general information.

By his Excellency's command,

Colonial Secretary's Office,
Colombo, 2nd September, 1848.

W. MORRIS,
Acting Assistant Colonial Secretary.

TRANSLATION of an ADDRESS to his Excellency the Governor Viscount TORRINGTON by the Inhabitants of Walleponey district.

THAT previous to the year 1844 they had no person in authority from whom they could learn the mild and benevolent intentions of the English Government towards them; they acted according to the suggestions of their own will, and in consequence some of them suffered due punishments from Government, and were thereby taught a lesson. The present Andrewewey Rattamahatmeya has proved to them the mildness and justice of the English Government, and has also fully explained the advantages that they and their country would derive by the opening of roads.

Of late, that is about the month of July last, they were informed by the inhabitants of the adjacent districts that a great number of taxes were to be imposed on them, and they were greatly annoyed at the information. But the Rattamahatmeya of their district represented to them the mistake; that the mistake had arisen from the return which is now being prepared, and which is the usual one, and although got up with more than usual care, not with a view of increasing taxation; that they must pay the gun-tax, and work six days on the road, or commute for 3s. annually; and that this last Ordinance would take effect from the 1st of January, 1849, which they believed to be true, and which they felt was for their own advantage.

Since the Proclamation of the 2nd August, 1848, by his Excellency the Governor, at the Queen's House, Colombo, was explained to them, their love and honour for the Government is further increased; and they are now more thankful to Government for its clemency and kindness; and are greatly distressed at the wicked and treasonable acts of a portion of the inhabitants of some of the Kandyan districts, and greatly alarmed, lest they, although in obedience to the gun Ordinance have paid the gun-tax, those wicked persons connected with the rebellion and disturbances should enter into their district, and cause its destruction; but should they find any such within their district, they will do their best to secure him; and should he escape their hands, they will give all the information in their power to the Assistant Government Agent of their district.

And they, the undersigned, most humbly pray that such further orders may be given which will lead to their and their Rattamahatmeya's safety.

A true Copy,
WILLIAM CHAS. GIBSON.

[Signed by 116 inhabitants.]

Encl. 5 in No. 31.

Enclosure 5 in No. 31.

TRANSLATION of a SINGHALESE ADDRESS to his Excellency the GOVERNOR.

To his Excellency the Right Honourable Viscount Torrington, Governor of Ceylon, &c. &c.

The humble Address of the undersigned Inhabitants of Udunuwerre and Yattunuwerre.

THE recent Ordinances have been properly explained to us, and we have nothing to complain of them. In 1818 the people were altogether prohibited from using fire-arms, except a few who received licences from Government for the purposes.

Now all people have the privilege of using guns, and therefore we do not think that the payment of 2s. 6d. for a gun a very unjust imposition.

As the dog-tax is levied only in towns and on the high roads, we do not consider that also as an unjust imposition.

As to the Road Ordinance, we are of opinion that it is calculated to do much more good to the people than to the Government. We had formerly worked for Government four months in the year, and cannot now complain as a hardship our being obliged to work six days in the year.

We do not think that the recent insurrection is owing to the imposition of the new taxes. We think the insurrection was originated by a desperate set of robbers and adventurers at Matelle and Kurnegalle, to accomplish their own selfish and wicked purposes,—plunder and devastation.

In conclusion, we beg to express our hearty thanks to your Excellency for the prompt and energetic measures which your Excellency had adopted to suppress the rebellion and to protect the defenceless and innocent inhabitants.

Kandy, August 25, 1848.

(Signed)

DEHEGAMME RATEMAHATMEYA,
and 198 headmen and other influential men.

A true Copy,
WILLIAM CHAS. GIBSON.

Enclosure 6 in No. 31.

CEYLON.

HIS Excellency the Right Honourable the Governor is pleased to direct that the following Address from the native merchants and traders, and other respectable Hindu inhabitants of Colombo, be published for general information.

Encl. 6 in No. 31.

By his Excellency's Command,

Colonial Secretary's Office,
Colombo, 2nd September, 1848.

W. MORRIS,
Acting Assistant Colonial Secretary.

To his Excellency the Right Honourable Viscount Torrington, Governor and Commander-in-Chief of the island of Ceylon, &c. &c.

The humble and loyal Address of the native Merchants and Traders and other respectable Hindu Inhabitants of Colombo.

MAY IT PLEASE YOUR LORDSHIP,—

WE, the undersigned native merchants and traders, and other respectable Hindu inhabitants of Colombo, beg leave to express to your Lordship our sentiments of loyal attachment towards your Lordship's person and Government.

That the trading portion of our community have branch-houses scattered all over the island, especially in the Kandyan country; and had it not been for the prompt and energetic measures adopted by your Lordship, and the recent disturbance checked in its embryo, we have not the least doubt that many lives of our countrymen would have been exposed to the most imminent danger, and our property sacrificed to a ruinous extent.

That we, the undersigned, consider it therefore our bounden duty to offer to your Lordship our most sincere and heartfelt thanks for those measures which have restored, peace, security, and good order; and while we wholly place ourselves under the protection of, and confide in your Lordship's Government, it shall be our never-ceasing prayer that your Lordship's Government may be attended with every success, and be the means of promoting the prosperity and happiness of the colony and of all Her Majesty's subjects therein.

We beg leave to subscribe ourselves, may it please your Lordship,

Your Lordship's most obedient and devoted humble servants,

[Here follow 1056 signatures.]

A true Copy,
WILLIAM CHAS. GIBSON.

(No. 164.)

No. 32.

No. 32.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo, September 14, 1848.

MY LORD,

(Received October 31, 1848.)

I PROPOSE in this Despatch to resume the consideration of the present state of the Kandian districts, and to report to your Lordship the progress which has been made since the departure of the last mail in restoring peace and security to the country generally, and in bringing the principal offenders to justice.

Vide Despatches
No. 143, Aug. 14,
1848, page 168.
No. 144, Aug. 14,
1838, page 186.
No. 149, Aug. 15,
1848, page 199.

2. I am fully alive to the importance not merely of suppressing an actual outbreak with the strong arm of power, and of vindicating the law by exhibiting the severity of justice, but this once effected, I am deeply sensible that the responsibility will rest upon me of thoroughly probing the wounds with which the social condition of the people has been long afflicted, and of eradicating, to the utmost of my power, the germs of future mischief which must otherwise have been inherited from the past.

3. As the first part of this proposition is the one of most obvious urgency, I proceeded to Kandy in person on the 16th August, and devoted myself most anxiously on the spot to an inquiry into the actual condition of the disturbed districts, and to the adoption of the measures immediately requisite for the restoration to the country of its ordinary state of tranquillity.

4. I found that the military precautions which had been adopted had amply sufficed to prevent any further show of resistance to authority; that although in a small portion of the country about Matelle, the villages were almost entirely deserted and the people panic-stricken, still in the districts or pattoos in which no actual outbreak had occurred, the people were quietly pursuing

CEYLON

their ordinary avocations, disturbed, however, casually by the depredations of marauders and of prisoners who had escaped or been set free out of the gaols. But the presence of small detachments of troops at the most important points, and the determination of the planters to defend their own properties, had inspired confidence in the Coolies and other peaceable inhabitants, so that the actual disturbance might be regarded as strictly limited to the small portions of the country in which it was originally developed.

5. As it seemed probable that a vast number of people, who were still absent from their villages, were concealing themselves in the jungle through fear, and not from any participation in the rebellion itself, and as it appeared desirable also that a door should be opened, or a *locus penitentie*, for the return of many doubtful characters to their allegiance, I caused a Proclamation to be issued, with the advice of the Queen's Advocate, calling upon the people to return to their villages and resume their usual occupations within 20 days, under pain of forfeiture of their lands. Some good effect has certainly resulted from this Proclamation, and many of the people have returned to their villages to gather in the crops; but in reality the suddenness of the outbreak, although it must have been long in preparation, the rapidity and vigour of the measures adopted by Government, combined with the terrors of martial law, have so far staggered the energies of the people, that it is scarcely to be expected that the ordinary course of their habits and their feelings could be suddenly and completely resumed.

6. In none of the minor outbreaks which have occurred since 1817 and 1818, was martial law proclaimed. Few of the inhabitants could still remember the effect of this and of the other measures of Government during the first rebellion. The sequestration of the lands of persons known or even suspected, owing to their absence, of being concerned in the present insurrection, which has now been extensively enforced, partly as a measure of terror and partly as one of protection, has been regarded by the people as actual confiscation, similar to what it was in 1818. As it is quite possible that reflections may hereafter be made upon the policy of Government in this matter, I may be permitted here to remark that the present position of the Kandian country is in every respect different from what it was at the period referred to. At that time, so soon after the treaty of 1815, the administration of the newly-acquired territory had not been consolidated; the Governor of the island, Sir Robert Brownrigg, comprised within himself, so far as concerned the Kandian provinces, the whole legislative as well as executive power: his Proclamation became law. But at the present time there is no inherent power of confiscation of the property, even of traitors convicted under martial law. It has, therefore, been indispensable not only that caution should be used with regard even to the sequestration of property, but it will be necessary that a Bill of Indemnity should be passed by the Legislative Council, to hold the authorities harmless for all *bonâ fide* acts done under martial law, and that the Ordinance should come into operation on the same day that martial law may cease to have effect.

7. It is very gratifying to me to be able to report that the accounts received from the whole of the Kandian districts (including the seven Korles) are extremely favourable, so far as concerns the actual peace of the country and the prospects of its future tranquillity; and I shall not fail to take an early opportunity of removing the operation of martial law, which on many accounts would be desirable. But I feel bound to state that I do not yet quite feel myself in a position to abandon suddenly so wholesome a check upon the evil propensities of the influential leaders of the people. I am convinced that the operation of it has hitherto been exceedingly beneficial, and combined with the effect of the rapid movement of troops, owing to the opening of roads since the former rebellion, it has done much to convince the Kandians of the utter hopelessness of all their efforts to resist the British Government.

8. But I am also bound to state that as yet scarcely any of the wealthier and more influential chiefs have either been apprehended, or have come in voluntarily to tender their submission in the disturbed districts. Several hundred prisoners have been confined in gaol, some at Kandy and others at Kurnegalle. But it is worthy of remark that amongst them scarcely any of the principal chiefs and headmen have been found; they have clearly done their utmost to avoid committing themselves, although they have been eager enough to cause

the Aratchies and minor headmen to be implicated. The chief conspiritors have not yet been apprehended, although there is strong suspicion against many influential parties; the pretended king and his brother have hitherto eluded, though with extreme difficulty, all the efforts made to capture them. They have been surrounded and hunted from place to place, and from cave to cave; but they are still at large, and considering the insignificance of the individual, his low caste, and that he is actually neither a Malabar nor a Kandian, but a low-country Singhalese, the singular fact of the success of his efforts to avoid being captured is not a little remarkable.

9. Under these circumstances, I do not yet feel myself in a position to surrender the advantage of martial law. But on the meeting of the Legislative Council, which I propose to call together in the first week of October, I shall lay upon the table a Bill of Indemnity, as before mentioned, for *bonâ fide* acts done during the suspension of the ordinary law of the island, together with a Bill of Attainder against certain parties convicted of treason, whose property it may be necessary finally to confiscate.

10. I reserve until a future occasion the whole question, vitally important as it must be, of the ultimate disposal of these lands, and also the larger question of the future management of the temple lands, particularly of those belonging to the temples whose priests have taken the most active share in setting up this fabulous king. The question of a new settlement for the future taxation of such of the lands comprised within the districts at present involved in the consequences of rebellion, as have continued exempted from a portion of the grain-tax to which lands in other districts have been subjected, as a reward for their firm loyalty during the rebellion of 1818, will require mature consideration preparatory to a new adjustment of their burdens, more consistent with the present position of the inhabitants. To all these larger and more difficult questions I shall not fail to apply myself, with the assistance of my Executive Council, as soon as the peace of the country shall be completely assured, and the industry of the people shall have returned to its ordinary channels. The opportunity will, I hope, be favourable for the introduction of many important changes, calculated materially to improve the public resources, without inflicting real hardship upon the people or offending their prejudices.

11. A circumstance has this day come to my knowledge, which more than ever confirms me in my view of the necessity of continuing martial law in force until the leaders of the movement have been apprehended. I have before me an "Ola" or native letter, written upon the talipot leaf, which appears to have been addressed by the pretended king a day or two before the attack upon Matelle, to an influential chief in the employ of Government in that neighbourhood. In this curious letter the plans then about to be carried into execution are detailed, and the names of several natives high in the service of Government are mentioned. In reality, I find reason to be daily more and more convinced that a deep-laid plot has long been in course of formation among the principal chiefs and headmen in the Kandian country, many of whom are in the employ of Government. The duplicity of the Kandian character renders them exceedingly expert in playing a double part; the more they are trusted, as is the case when they are public servants, the more dexterous they become in concealing the betrayal of that trust. The part which the priests too have taken in the recent movement confirms me more than ever in the conviction at which I stated in my former Despatches that I had arrived, that multifarious causes have conspired to produce the present outbreak, one of the most important among which is the question of the religion of the people, and the relation in which the Government of the country has at all times stood towards it.

12. As it appeared necessary that no time should be lost in bringing to trial, at a special sitting of the Supreme Court, such of the prisoners as were in custody for crimes committed previous to the proclamation of martial law, I directed that a portion of the town of Kandy, comprising the Court-house and its neighbourhood, should be specially exempted from the operation of martial law, and at my request, Sir Anthony Oliphant, the Chief Justice, consented to preside at the trials. I suggested that, both as regards the Supreme Court, and also as respects the court-martial which was assembled to try the state prisoners, only those parties should be put upon their trial against whom the evidence

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was complete and conclusive, and the prospect of a conviction certain. The effect of acquittals, if numerous, appeared likely to be far more injurious than to abstain from trying the prisoners altogether.

13. I now, therefore, proceed to put your Lordship in possession of the results of these trials so far as they have yet extended; and I regret to have to state that before the Civil Court the convictions have been fewer than I could have wished, and certainly less numerous than the clearest evidence appeared to warrant. But I have taken every reasonable precaution to prepare a fair and respectable jury list before hand; and as the actual juries impanelled have shown a disposition towards extraordinary leniency, I can only conclude that they either did not entirely comprehend the importance of the cases brought before them, or that they were scarcely satisfied as to the credibility of the witnesses.

14. On the other hand, the cases brought before the courts-martial have almost invariably led to convictions, and the effect of the speedy decision in these instances have been highly salutary, inasmuch as it served to impress upon the inhabitants that in the event of open resistance to the law, the Government possessed a power greater than the law itself, or rather more summary and more certain in its operation than the ordinary process of the legal tribunals.

15. The sessions of the Supreme Court for these special trials was opened on the 28th ultimo, but was adjourned until the 4th instant. On that day four of the priests of the ancient Temple of Dambool were arraigned for high treason, and the evidence went to prove that they officiated at the ceremony of installing or crowning the pretended king in the temple named. A severe cross-examination failed to shake the evidence of the principal witnesses: the only defence set up for them was that they must have been actuated by fear; but no evidence was adduced to show that compulsion was used, or if used, that it was resisted to the utmost. They were, however, found "Not guilty," to the surprise not less of the counsel than of the public, and were accordingly discharged. The trial lasted three days. The effect of this unlooked-for verdict was calculated to be exceedingly injurious to the public interests, as the cases against these men were remarkably strong. But happily the certainty and the wholesome terror inspired by martial law will, I hope, have sufficed to counteract the inefficiency under circumstances like the present, and in a country such as this, of trial by jury before a Civil Court.

16. Several convictions have, however, since taken place before the Civil Court, although there has been an evident reluctance on the part of the juries to bring in a verdict of guilty. Out of 18 prisoners put upon their trial for high treason, eight only have been convicted, about the same number still remain to be tried. The Queen's Advocate has recommended that the rest of the prisoners should not be put upon trial for treason, for fear that, in the present tone of mind evinced by the juries, they might escape conviction. But there are many of the prisoners who can be put upon their trial for robbery, plundering of estates, &c., and it is judged best to reserve them for the ordinary sessions of the court, when convictions would be much more likely to follow.

17. I beg to enclose the latest report of the Queen's Advocate upon the progress of the state trials.

18. With regard to the conviction of prisoners tried by court-martial for offences committed since the date of the proclamation, they have been numerous; but I am not yet in possession of a complete return respecting them, which will be reserved for the closing of the court. An influential priest, who was convicted of administering treasonable oaths in favour of the pretended king, was shot at Kandy in full robes. I find only one similar instance of the execution of a priest, which occurred in the insurrection of 1823, when a priest was hanged for high treason. Several, however, were transported on former occasions.

19. Several headmen have been shot by court-martial, and I believe 12 men have been sentenced to transportation; and I am happy to profit by this opportunity of expressing my thanks, which are due to Commander Hoseason of Her Majesty's steamer "Inflexible," who consented to convey 10 of these prisoners to Malacca, without delay. The effect of the speedy carrying out of the sentences has been beneficial. Minor punishments have been inflicted upon persons convicted of plundering, &c. A notary also, who had taken a leading

part at Kurnegalle, and whom it was sought to capture, committed suicide by hanging himself from a tree in the jungle.

20. That your Lordship may be in possession of the fullest information of the means still employed for securing the peace of the Kandian districts, I beg to forward a copy of the latest distribution of troops, similar to that which I transmitted with my Despatch, No. 143. The approach of the rainy and unhealthy season has rendered it necessary to call in some of the small detachments of European soldiers, leaving Malays of the Rifle regiment at some of the most important points. Fever had already begun to show itself at Dambool, and as the unhealthiness of the approaching season at Anaradapoorra is well known, it has been judged expedient to withdraw the small body of Rifles from that station. Detachments of the 37th have already returned to Colombo, and I have every confidence that the prospect of tranquillity in the Kandian districts is already so far assured, that the military force still remaining there, amounting to about 1150 men, besides officers and staff, and assisted by the pensioners, will be amply sufficient to prevent any renewal of the outbreak.

21. A small detachment of rifles has been sent from Trincomalee to Batticaloa, but I have every reason to believe that the state of the maritime districts will continue peaceable.

22. I am daily looking forward to the arrival of Her Majesty's steamer "Fury" at Trincomalee, and I shall be prepared, with the concurrence of the Major-General, to recommend that a portion of the detachment of the 25th regiment, which was brought from Madras, may be carried back to that presidency by the "Fury." There appears to me to be no longer a sufficient reason for incurring any larger expenditure for military purposes than is absolutely indispensable. I trust I shall stand absolved in your Lordship's estimation from any supposition that I may, on this ground, have prematurely suffered the military strength of the island to be unduly weakened.

23. In conclusion, I have only to express my determination to leave nothing untried which can ensure the peace and prosperity of the island, the first great element of the contentment and satisfaction of the people.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Enclosure 1 in No. 32.

Encl. 1 in No. 32.

In the name of Her Majesty VICTORIA, of the United Kingdom of Great Britain and Ireland
Queen, Defender of the Faith.

Proclamation.

By his Excellency the Right Honourable Viscount Torrington, Knight Grand Cross of the Order of Ernestine of Saxony, Governor and Commander-in-Chief in and over the British settlements and territories in the Island of Ceylon, with the dependencies thereof.

(Signed) TORRINGTON.

WHEREAS it has been brought to our knowledge that well-disposed and loyal persons have fled from their homes on the approach of the rebels, and concealed themselves in the jungle, from apprehensions for their personal safety during the recent disturbances, it is our pleasure that it should be made known to all such individuals that on their immediately returning to their villages they will receive every protection and assistance from the authorities on resuming possession of their lands and houses.

And whereas many timid and peaceable people were compelled by the insurgents to follow them, and are now deterred from returning to their own homes by the fear of punishment, it is hereby made known for the encouragement of such as are disposed to return to their allegiance, that all individuals not actually engaged in conflict with Her Majesty's troops, or guilty of plundering and violence during the late insurrection, will be permitted to return to their villages and betake themselves to their ordinary occupations, provided they do so within 20 days from this date. Provided always that nothing herein contained shall be construed to extend any hope of pardon to headmen or persons in Government employment who have taken an active part in exciting the people to insurrection or in assisting and harbouring the rebels.

The lands and property of all persons who shall after this 18th day of August, 1848, be found to have been absent from their ordinary places of residence during the last 20 days,

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without giving a satisfactory account of themselves, will be declared forfeited and confiscated to the Crown.

Given at the Pavilion at Kandy, this 18th day of August, in the year of our Lord one thousand eight hundred and forty-eight.

By order of the Governor,

(Signed) J. EMERSON TENNENT.

God save the Queen.

Encl. 2 in No. 32.

Enclosure 2 in No. 32.

Queen's Advocate's Office, Kandy,
September 12, 1848.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 9th instant, No. 229, which I received yesterday evening, calling for a report of the progress of committals and trials before the Supreme Court of persons concerned in the disturbances in the Kandian provinces, and, generally, of such recent proceedings connected with these affairs as I may think it desirable to communicate to Her Majesty's Government.

In compliance therewith, I have prepared a list, marked A, containing the names of the persons who have been already committed for trial before the Supreme Court on charges of high treason, and another list, marked B, containing the names of those who have been committed for trial before the said Court for offences of a less serious nature perpetrated during the late disturbances. These lists are herewith transmitted.

With regard to the prisoners mentioned in the former list (A), I may remark that many of them are persons of no influence, and though engaged in the insurrection did not act as ringleaders. From amongst those who have been committed to take their trial, I am endeavouring to select for prosecution such only as from their social position or active participation seem to be the most proper objects of punishment; and I propose (should such a course meet with the approval of the Government) at the close of the sessions to abandon the prosecution of the others.

The prisoners mentioned in the second list (B) will be tried for the offences of which they have been respectively guilty at the ordinary sessions of the Supreme Court, which will, I presume, be held in the course of next month.

I regret to say, that hitherto all the attempts which have been made to apprehend the chief conspirators have been unsuccessful, and that the pretended king and his principal supporters are still at large. The following persons who were the ringleaders in the rebellion have not yet been taken:—

1. Giranagawma Unnanse, a Buddhist priest of the Dambool Temple.
2. Ratwatte Banda, member of a chief's family.
3. Leunadoore Aratchy, a Government headman.
4. Warriapulle Aratchy, a Government headman.
5. Uddegawma Aratchy, a Government headman.
6. Kotuagedere Aratchy, a Government headman.

The sessions of the Supreme Court for the trial of the rebels was opened on the 28th ultimo, and the trials commenced on Monday the 4th instant. On that day four priests of the Dambool Temple were arraigned on a charge of high treason. The trial lasted three days, and terminated in the acquittal of the prisoners on Wednesday last. I can only account for this unexpected result, on the supposition that the jury believed that the accused acted under the influence of fear, though I am bound at the same time to remark that there was no evidence of the prisoners having acted under such fear of present death as ought alone to have been allowed to operate with the jury as an excuse for the prisoners' conduct on the occasion.

The prisoners' counsel having applied for a day to enable him to prepare for the defence, the second case commenced on Friday last; 12 prisoners were arraigned for high treason. The trial terminated yesterday in the conviction of seven of the accused, who have been remanded for judgment. The jury recommended four of the seven prisoners to mercy; they did not state on what grounds.

The third case is now under investigation. The accused are Government headmen; and the overt acts of treason are—conspiring to levy war, and blocking up and barricading the Trincomalee road, in order to delay the march of Her Majesty's forces.

I am not aware of any other circumstances of which it is necessary to make mention in this report.

I have, &c.,

The Hon. the Colonial Secretary.

(Signed) H. C. SELBY, Queen's Advocate.

P.S. Since the above letter was written, the third case has been decided. The first prisoner has been convicted and the second acquitted. The jury have recommended the first prisoner to mercy, on the ground of "presumed general ignorance, and the apprehension of bodily fear and degradation of his family."

(Signed) H. C. S.

(A.)

LIST of PERSONS Committed for Trial before the Honourable the Supreme Court on Charges of High Treason.

No.	Names.	By whom Committed.	Date of Committal.
1	Ambolambe Unnanse	C. H. Stewart, Esq., J. P. .	26 Aug. 1848.
2	Hadua Unnanse		
3	Moorootuvelle Unnanse		
4	Ambolambe Cooda Unnanse		
5	Penelbode Keeralle	C. H. Stewart, Esq., J. P. .	31 Aug. ,,
6	Warapetia Ettepolle Banda	J. S. Colepeper, Esq., J. P. .	25 Aug. ,,
7	Udagame Kirry Banda Aratchy	J. S. Colepeper, Esq., J. P. .	25 Aug. ,,
8	Amoonogame Abeykoon Walauwe Gabade Nilleme	J. J. Staples, Esq., J. P. .	22 Aug. ,,
9	Nearepolle Ukkoo Banda	J. J. Staples, Esq., J. P. .	22 Aug. ,,
10	Rambookvelle Siam Banda	J. J. Staples, Esq., J. P. .	21 Aug. ,,
11	Dombewellegedere Bandiralle	J. S. Colepeper, Esq., J. P. .	25 Aug. ,,
12	Badalgedene Appooa	C. H. Stewart, Esq., J. P. .	7 Sept. ,,
13	Wadualagedere Kalooa	C. H. Stewart, Esq., J. P. .	7 Sept. ,,
14	Owelle Punchiralle	J. J. Staples, Esq., J. P. .	23 Aug. ,,
15	Angunawelle Banda	J. S. Colepeper, Esq., J. P. .	25 Aug. ,,
16	Dombekelle Lekam	J. J. Staples, Esq., J. P. .	21 Aug. ,,
17	Innamalowe Ukko Banda Coralle	C. H. Stewart, Esq., J. P. .	31 Aug. ,,
18	Ondangawe Punchiralle Aratchille	C. H. Stewart, Esq., J. P. .	9 Sept. ,,
19	Arembegegre Kumara Gammahe	J. J. Staples, Esq., J. P. .	22 Aug. ,,
20	Hellimeelle Appoohamy Aratchy, late Coralle	J. J. Staples, Esq., J. P. .	18 Aug. ,,
21	Appoohamy Aratchy		
22	Ukkoralle Aratchy		
23	Banda Aratchy		
24	Mudelihamy Aratchy		
25	Tickeralle Aratchy		
26	Kirrihamy Aratchy		
27	Mudiense Aratchy		
28	Menikralle, late Coralle		
29	Banda Gang Aratchy		
30	Ahamadoe		
31	Kirry hamy Neketralle		
32	Nilhamy		
33	Puncheralle		
34	Kahatepetia Kankaneme	J. J. Staples, Esq., J. P. .	21 Aug. ,,
35	Ramwene Ukkooa		
36	Baja Naide		
37	Sundera		
38	Puncheralle		
39	Appohamy		
40	Poola		
41	Baba Appoo		
42	Tickera		
43	Akkorambodde Aratchy		
44	Kaloo Honda Durea		
45	Mollogodgedue Appoohamy		
46	Kanangomua Keratgedere Manikralle		
47	Alloowihare Pahalewalawe Lokoo Banda		
48	Tallegahagedere Puncheralle		
49	Asgiria Calua	J. J. Staples, Esq., J. P. .	23 Aug. ,,
50	Asgiria Arooma		
51	Asgiria Punchiralle		
52	Asgiria Neketgedere Ukkooralle		
53	Mudunselagey Punchiralle		
54	Epettegedere Kawralle		
55	Udegedere Kawralle		
56	Nikelaugedere Vederalle		
57	Naldenia Tickeria		
58	Neldenia Ukkooa		
59	Napanegedere Dingeralle		
60	Badulla Cotua Ukkoo Banda		
61	Punchiralle		
62	Kadenia Weduarega		
63	Edangedere Kuralle	J. S. Colepeper, Esq., J. P. .	29 Aug. ,,
64	Adrian Appoo		
65	Louis Appoo	C. H. Stewart, Esq., J. P. .	31 Aug. ,,
66	Pannalebode Kuralle, late Aratchy		
67	Attabendewewe Punchiralle, late Vidhane		
68	Cacoota Bowatte	H. Thompson, Esq., J. P. .	1 Sept. ,,

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List of Persons Committed for Trial before the Honourable the Supreme Court, &c.—*continued*.

No.	Names.	By whom Committed.	Date of Committal.
69	Doollewe Naweratua Wickremesinha Same- raheon Jayetilke Panditta Diawadene Nilleme	J. J. Staples, Esq., J. P. .	4 Sept. 1848.
70	Kirry Buga		
71	Sanderia		
72	Puncheralle		
73	Kuralle		
74	Wahenegedere Gooda Naide		
75	Thellegedere Sandia		
76	Gooroonnahelegedere Sellappoo		
77	Alotgame Appoo Naide		
78	Juanis Appoo		
79	Annoomawelle Banda		
80	Waredamme Kerry Banda		
81	Neketgedere Puncheralle	J. S. Colepeper, Esq., J. P. .	25 Aug. , ,
82	Gamegedere Ukkooralle		
83	Ulle Pandittea		
84	Gooroonnahelegedere Cooda Naide		
85	Makeleawe Punchyhamy		
86	Maragahagedere Manica		
87	Gagagedere Arasa		
88	Nekewelle Kattadia		
89	Nekewelle Ukkooa		
90	Nekewelle Ponua		
91	Makolemadde watega		
92	Udugame Aratchy		

(Signed) H. C. SELBY, Q. A.

(B.)

List of PERSONS Committed for Trial before the Honourable the Supreme Court for Crimes
(other than the Crime of Treason) Committed during the Rebellion in the Kandian Provinces.

No.	Names.	Crime.	By whom Committed.	Date of Committal.
1	Gammahe	Theft . . .	S. Hanna, Esq., J. P. . . .	28 Aug. 1848.
2	Leane Naide			
3	Game Naide			
4	Pahalegedere Naide			
5	Anoomettiralle	Arson and Robbery . . .	S. Hanna, Esq., J. P. . . .	28 Aug. , ,
6	Banda of Pallegama			
7	Don Andris de Silva			
8	Appoohamy			
9	Gallapittaydere Sewralle	Ditto . . .	S. Hanna, Esq., J. P. . . .	28 Aug. , ,
10	Baba Appoo	Robbery . . .	J. S. Colepeper, Esq., J. P. . .	7 Sept. , ,

(Signed) H. C. SELBY, Q. A.

RETURN showing the present Distribution of the Troops under the Command of Lieut.-Col.
T. A. DROUGHT, Commandant of the Central Province.

Kandy, September 12, 1848.

Stations.	Corps.	Field Officers.	Captains.	Subalterns.	Staff.	Native Officers.	Serjeants.	Drummers.	Rank and File.	Remarks.
Kandy . . .	Staff . . .	..	1	1	1	..	..	..	..	
	Royal Artillery	..	..	1	..	..	1	..	23	
	Royal Engineers	..	1	..	..	..	..	..	..	
	15th Regiment	1	3	4	4	..	24	8	393	
	37th Regiment	..	..	2	..	..	2	..	74	
	Ceylon Rifles .	..	1	2	..	3	7	4	80	
Nuwera Ellia .	Gun Lascars .	..	..	..	..	..	1	..	26	
	Staff . . .	..	..	..	1	..	..	..	..	
	15th Regiment	..	..	1	..	..	4	2	66	
Badulla . . .	Ceylon Rifles .	..	1	..	..	..	..	..	..	
	Staff . . .	..	..	..	1	..	..	..	..	
	Royal Artillery	..	..	..	..	..	..	..	1	
Matella . . .	Ceylon Rifles .	..	1	1	..	3	3	1	68	
	Gun Lascars .	..	..	..	..	..	..	..	2	
	15th Regiment	..	..	2	..	..	2	1	46	
Koronegalle .	Ceylon Rifles .	..	1	2	1	1	6	1	40	
	Ditto . . .	1	1	3	..	1	3	2	50	
	Gun Lascars .	..	..	..	..	..	..	..	3	
Dambool . . .	Ceylon Rifles .	1	..	1	1	..	1	1	17	
Wolosbaga . .	Ditto . . .	..	..	1	..	..	1	..	14	
Cabroosa Ellia .	Ditto . . .	..	..	2	..	1	2	..	49	Near Dangkande Page.
Anooradjapoor	Ditto . . .	..	..	1	..	..	1	1	20	On march to Kandy.
Kongalle . . .	Ditto . . .	..	..	..	..	..	1	..	5	
Bintenne . . .	Ditto . . .	..	..	2	..	..	1	1	32	
Madama Nuwera	15th Regiment	..	..	1	..	..	1	..	12	
Koorondegalle .	Ceylon Rifles .	..	1	..	..	1	1	..	15	14 miles from Me- damhenura on the Bintenne road.
Hangoorankette	Ditto . . .	..	..	1	..	1	1	..	15	
Alloot Nuwea .	15th Regiment	..	..	1	..	..	1	..	12	From N. Ellia in Wallypania.
Total .		3	11	29	9	11	64	22	1063	

(Signed)

T. A. DROUGHT,
Lieut.-Col., Commandant.

CEYLON.

No. 33.

(No. 165.)

No. 33.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo,
September 15, 1848.

(Received October 31, 1848.)

No. 143, Aug. 14,
1848, page 168.
No. 144, Aug. 14,
1848, page 186.
No. 149, Aug. 15,
1848, page 199.
No. 164, Sept. 14,
1848, page 217.

MY LORD,

1.

1. WITH reference to my Despatches upon the subject of the Kandian insurrection noted in the margin, and especially with regard to the origin and nature of the outbreak, I have now the honour to forward, for your Lordship's perusal, a report upon this subject addressed to me by Mr. Buller, the Government Agent for the central province.

2. It tends entirely to the corroboration of the views which I have already developed to your Lordship, that the pretended king of every successive rebellion from 1817 to the present time, has been merely the fictitious idol of the occasion, the hoped-for stepping-stone of the chiefs to power, and the symbol of religious ascendancy to the priests.

3. It seems from this statement to be well ascertained, that the Kandians still bear in mind the defeat and massacre of Major Davie and his party, and the recovery of Kandy from the British in 1803, and they had hoped to effect the same object on the present occasion by a dexterous *coup-de-main*.

4. Mr. Buller appears to lay some stress upon the part which the priests have taken in kindling or keeping alive the rebellious spirit of the people in the Kandian country. At an audience which I gave to a deputation of the principal priests of the Malwatte Wihare at Kandy, it was remarked by them, in reply to an observation which I addressed to them respecting the misapplied influence of the priests in the disturbed districts, that the authority of the heads of their establishment was gone, the offices of chief priests were in many instances still vacant, their controlling authority was annihilated, and even the temple tenants refused to do the services which were necessary as the condition of the tenure of their lands.

2.

5. As a further illustration of the many causes which have contributed to the present state of feeling in the Kandian country, I likewise beg to transmit a copy of the translation of a paper presented to me by a priest of some influence, whom I sent out through the most disturbed districts to inquire into, and report to me, upon the causes of the present outbreak.

After making every reasonable allowance for the natural feelings of a priest upon such a mission, I am willing to admit that there is much plausibility in some of the grounds advanced in the accompanying paper. Others have evidently been made the most of, but the misrepresentations disseminated by the chiefs respecting the intentions of the Government are fairly acknowledged.

6. I have only in conclusion to remark, that it is by no means too late to attempt to remedy the evils which may be found to have substantial foundation; and the first and foremost of our endeavours will, I hope, be the restoring to the religion of the people and its ministers that qualified protection which is due to them by treaty, necessary for them on grounds of policy, and may not be inconsistent with the mild system of toleration of the British Government.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Enclosure 1 in No. 33.

CEYLON.

Encl. 1 in No. 33.

Government Agent's Office, Kandy,
September 13, 1848.

SIR,

I HAVE the honour to forward report, explanatory of the principal events which I consider to have led to the rebellion, and of the circumstances that have taken place during the last two months.

I have, &c.

(Signed) C. R. BULLER, Agent.

The Hon. the Colonial Secretary.

In the Proclamations of 1818, the 19th March and 21st November, "The pretender was described as a Wellale, and native of the village Weelbawa, in the Seven Corles, as a person altogether insignificant and of no consideration as to birth. That the rebel chiefs and insurgent leaders had set up this pageant, and had called upon the people to recognise as the descendants of their king a phantom, whose pretensions they espoused merely to cover their own ambitious views of subjecting the nation to their arbitrary will, forgetful of the extensive resources of the British empire." Denis, the pretender, in the year 1843 was also a person of the lowest caste (the Jagery) of the village Himbootoowelgode, of Daloogame, in the Adicare Pattoo of Seena Corle, distant about five miles from Colombo, about 15 years ago. While yet a youth he left his village, and married into a Kandian family at Alloodeneea in Udunuwera, where for some time he was looked down upon in consequence of his caste. On the representation, however, of one of the chiefs (supposed to have been Gallegode, late Ratte Mahatmeya, who by proclamation, dated November 14, 1818, was declared a rebel), that he was of high caste, and a descendant of one of the kings, the people were induced to acknowledge him as such, and pay him deference accordingly. He was tried by the Supreme Court in the district of Badulla, and acquitted by a majority of the jury, which was composed of six Europeans, and seven natives. The pretender, in the present instance, informed me that he was brother of Denis, but I have since ascertained that he is a cousin only, it being usual with all eastern nations to style their cousins as brothers; thus it would appear that the pretenders, in each instance, have been descendants of persons who were totally unconnected with the royal family, and undoubtedly set up as mere tools of the chiefs. The particulars connected with the events of 1818 are so fully recorded in all the histories of Ceylon, that it will be unnecessary to advert to them; but the circumstances connected with the evacuation of Kandy by Major Davie, June 24, 1803, together with the troops, consisting of 17 officers, about 200 British soldiers, 200 Malays and gun Lascars, derive at present peculiar interest from being constantly adverted to by the Kandians, and urged as an argument for the possibility of recapturing their capital. They seem to imagine that if they were successful when so ill provided as they were on that occasion with guns and ammunition, now that they have an ample supply of both they want but determination to expel us from the country. So utterly ignorant are the generality of the Kandians of the resources we have at command, that they readily credit the assurance of their priests that the troops that are seen in Kandy are the whole of the British force; and in 1843 the people were led to believe that the regiment that marched to Colombo only changed their dresses at Ambepusse half way to Colombo, to give the appearance of greater strength. The priests also assured them that the bullets of the English would run from their muskets as harmless as water, while theirs would be most fatal in their effects. Even during the last week, on the king being taunted with his ill success in charming the balls of the Gereahs (or beef eaters), as they call us, explained to them that the charm still held good, but it was their turning their backs upon the English that rendered it inefficacious in the instances of Matelle and Kornegalle. Education would have dispelled these illusions; but with the exceptions of a school at Kandy, one at Badulla, and one at Gampolla lately established, a population of 211,000 souls are without any instruction, and are left entirely to the baneful influence of the Buddhist priests. The grand themes on which the priests descant in their arguments for the subversion of the British supremacy are the evil effects its rule has brought on them by the introduction of *ardent spirits* industriously spread throughout every district, carrying with it wherever a tavern (of which there are no less than 133 in this province) is established, the vices of drunkenness and gambling, and the consequent crimes of robbery and murder; and the decline of their religion, and the ruin of their temples, owing to the Government having ceased to maintain them, as agreed by the 5th clause of the Convention of 1815, approved by Lord Bathurst's Despatch of the 13th October of the same year, and which was subsequently adverted to after the rebellion of 1818 in the 21st clause of the Proclamation, dated 21st November of that year.

They also represent as a grievance, the doubt that has for years remained unsettled as to the right of the temples to the lands claimed by them. To allow these claims, would be at once to give up some 100,000 acres of valuable land; and to contest them, would be to open a wide door for the forging of fraudulent Sannas, and the commission of extensive perjury. Thus, from various causes, this question has from time to time been laid over, owing to the manifest difficulties connected with it; while the priests have been encroaching on the rights of the Crown, and are constantly in expectation of being dispossessed of the lands usurped by them. Another source of discontent, is the impossibility of obtaining justice in the district Courts without the all but certainty of utter ruin. The successful party, it is true, obtains possession of the land, but in all probability it will have been mortgaged to nearly its full value to enable him to pay his lawyer's fees, and frequently the land is sold to pay the debts contracted in

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consequence of the suit. The losing party, unless a person of considerable wealth, is of course wholly ruined, and all his property, movable and immovable, sacrificed; and when it is known that some of the bar make between 1500*l.* and 2000*l.* a-year, which is chiefly from the natives it cannot be a matter of surprise that they complain of the heavy expenses of law. To remedy this, I would propose that the natives be required to pay highly for the stamps, which should be so regulated as to pay all the expenses of the courts of justice, and instead of compelling parties to appear by the means of advocates and proctors, the District Judge should, as in former days, be required to take the statements from the mouth of the litigants, permission, however, being given to the judge in special cases only, and where the ends of justice would be better obtained by it, to accept of written pleadings.

I may here observe, that the most active parties in the late disturbance were found to be those who were most constant attendants at the courts of law, and who had been reduced to poverty in consequence. The raising the lower orders to superior ranks, and employing them in situations formerly considered as the exclusive privilege of chiefs, has been assigned as a cause of the present rebellion. If this be true, it only proves how necessary it is still further to lessen that influence of the headmen which would be exerted, no doubt, in favour of Government, so long as they consider it their interests to be loyal, but whenever an opportunity offered of aggrandisement by a contrary line of conduct, the same influence would be used against this Government. It is a curious fact, that the headmen appointed at my recommendation during the last four years have stood firm to their allegiance, and have kept their districts perfectly tranquil, whereas those who have held their offices under Government as Kandian chiefs for the last 20 or 30 years, have been the first to rebel; for instance, the three Matelle chiefs, and those of Lower Dambara and Harrispattoo, who should all be removed. There will then be left but two of the old Kandyan chiefs, one of whom, the Yattenuwera Ratte Mahatmeya, who has always maintained the highest character for loyalty, and whom I have no reason whatever to doubt; the other, Giragame Ratte Mahatmeya, of Upper Bulatgame, and who is not only almost useless, but would doubtless have been concerned, had he not, fortunately for him, been too far from the scene of action.

I have long intended to recommend the removal of some of the above headmen, but the fear of creating discontent has been assigned as a reason for retaining them, utterly useless as they have been. That extreme caution, the policy of which I have always doubted, is no longer necessary; and I now trust that their removal will be shortly decided on, and that their vacancies will be supplied by persons on whom Government can place reliance. It is not the taxes that are in reality so obnoxious. On the contrary, whenever an individual of the lower class is induced to give his candid and unbiassed opinion, it will be found that his objections arise from some vague idea of the advantages to be derived from having a king possessing the religion of Buddha, and who will not only protect, but also maintain their religion inviolate. It is undoubtedly true that no people are pleased with direct taxation, and that the circumstances of the Ordinances regarding the guns, the dogs, and the roads, being promulgated at one and the same time, had some weight in inducing them to rise when they did; but had they not been prepared for it months before, and had not the sparks of disaffection been most industriously scattered amongst them for years past, it would not have been possible for them to spread the flame so widely in so short a space of time.

From 1842, the priests and other disaffected parties had been going about from village to village, spreading far and wide the seeds of disaffection, directing them to await the time when the muster-roll should be beaten, when the ban of fire and sword and degradation of the Rodias was denounced against the Kandians that should dare to disregard the summons. This has for years been quietly going on, and the minds of the people have gradually become more unsettled. This I have in my reports to Government in former years repeatedly represented, but they were considered as a mere chimera of my own, and I have even been told that the rebellion in Mr. Turnour's time was fiction; that the parties convicted never contemplated any rebellion; that the rebellion of 1843, or my rebellion, as in ridicule it was termed, was a mere imagination on the parts of myself and Captain Kelson, and that there was nothing whatever in it, and the justice of Chandra Jetty's conviction has even been a matter of doubt.

Having now described the grievances which they appear to complain of, and before proceeding to a description of the various events anterior to the late rising, it may be as well to look at the present state of the people; and as it commenced at Matelle, it is well to look at the taxation of that district, with a view to ascertain if there is any ground for discontent on that score.

From calculations made at this office, I have ascertained that the tax per head is only 3*½**d.* per annum. It has been urged that the mode of collecting the tax is oppressive; but whatever it may be in the maritime provinces, where the rents are often sold by public auction, where competition raises the amount beyond their real value, and where the renters may be fraudulent and oppressive, means may be induced to exact from the cultivator a larger quantity of grain than he is entitled to, such is not the case in the central province. Each man knows the exact amount of tax he is required to pay, and it is not a low countryman that collects it, nor a man wholly unknown to him; but it is the aratchy, or petty headman of his own village, to whom he pays, neither more nor less, the required sum entered in his deed of agreement, with government copy of which he holds: the tax is then handed over by the aratchy to the coralle, by him to the rattemahatmeya, who transmits it to the cutcherry; there is therefore no opening for oppression in this, and the Kandians, indeed, have no objection whatever to it, but on the contrary, previous to the imposition of the new taxes, often themselves represented to me their willingness to have the same increased; but I am, in a measure, digressing from my subject, to which I must again revert.

The next rebellion was in 1822, when a priest called Kahawatte Unnansy, and a man named Coswatte Rateralle, were the chief persons concerned (both were convicted and hanged); a Malabar man, named Mutto, who was a discharged pioneer, was the puppet intended by them to be set up as king (he was transported). The next was in April and May, 1842, wherein Denis (already described) took an active part, as also did Dinga Ralle, of Hangarau Kette, who was convicted by a court martial at Kornegalle. Chandrajoty was convicted at Badulla, and sentenced to 14 years' hard labour in chains: he is now a convict in the gaol at Colombo. David, the present pretender, does not appear to have taken any very prominent part on that occasion: the events connected with this are, however, so fully recorded in my letter of the 6th of December, 1843, that I consider it unnecessary to allude further to the matter. The priests, as before said, were the chief actors of the rebellion of the present year, and performed their part with a zeal worthy a better cause, and had they been better supported by the people, would have given more trouble than is generally calculated.

As far as I can ascertain they had quietly prepared the people for a war of extermination of the English, and had prepared them for a general rise whenever called upon.

On the 25th of July the number of persons collected at Nalande was about 70 only, headed, as reported to Government, by Puran Appoo David, the pretender, and Denis, his relation; Dinga Ralle, of Hanguran Kette, was also with them. This party proceeded to Dambool, and on the night of the 26th, David was crowned. It was their intention then to have proceeded to Anoorajapooru (a wild part of the island) to collect their forces, but, in all probability, owing to the knowledge that their proceedings were watched, by the police and others sent for that purpose, and finding their numbers gradually increased they altered their course, and marched with 400 men, who had been present at the coronation, towards Matelle.

On the 27th they reached Pallapatwelle, about four miles distant from Matelle, where the number was augmented to about 3000: with these they attacked Matelle; about one mile from which, on the morning of the 28th, they were met by the troops, where, as before stated in my report of the 28th July, they fired on the troops, on which occasion some of their party were killed, and others taken prisoners.

The subsequent events have regularly been reported by me to Government, and since the last overland no meetings have taken place. The pretender has not, I regret to say, been as yet apprehended; he has for some time past been secreted in a cave, in the midst of a dense forest in the district of Matelle, and although several of his immediate followers have been seized, he has himself escaped. The utmost exertions are still being made to apprehend him, and there is every reason to hope that he will shortly fall into the hands of some of the parties that are in search of him; the celebrated Puran Appoo, an escaped prisoner, has been seized and executed. It is much to be regretted that the four priests concerned in the crowning of the pretender have been acquitted by a most merciful jury, who seem to have fancied that they might have been compelled to it through fear. However, the leniency of the Civil Court has been counteracted by the prompt and energetic measure of the Military Court, who have already executed, in Kandy and Matelle, about 16 persons, who were taken in arms. Several have also been executed by them at Kornegalle, and a priest named Cadahapolle Unnanse, who has proved to have administered an oath to a chief to be faithful to the rebel king, was also shot to death. The people generally have now returned quietly to their agricultural pursuits, but as no doubt many of them are in fear of being seized and committed to gaol for having taken an active part in the insurrection, while others are smarting under the effects of their late conduct, some excitement must still remain, and it would be injudicious, therefore, to remove the troops from Matelle, Kornegalle, or Dambool.

The inhabitants of Hewahette, Matturatte, Walapane, and Toompane, have voluntarily undertaken to open roads through their districts, and this will, I am satisfied, be attended with most beneficial effects to themselves as well as to the country at large, and, in case of any future meetings being reported, the movement of the troops will by these arrangements be greatly facilitated; but, I trust, that the lesson that has been taught them will have sufficiently proved to them the futility of such attempts in future, and the utter hopelessness of success.

(Signed) C. R. BULLER.

Kandy, 13th September, 1848.

Enclosure 2 in No. 33.

Encl. 2 in No. 33.

(Translation.)

The CAUSES that have given great dissatisfaction to the People, and with which their minds are troubled.

1. FIRST of all for abandoning the temple, Daleda Maligawe, and the other temples called Dewales.

2. That contrary to the customs of the Kandian country, individuals of low caste are made equal with those of ancient and high families, or equal power is given to the former as to the latter.

3. When roads were being made or opened through districts or villages some of the drunkards and vagabonds employed on them use most indecent and improper language, which not only females, but even males, are shocked to hear. They forcibly pluck and take away

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the fruits from the neighbouring gardens. In some districts coffee estates are left without fences, and the cattle that enter them are shot, or they are tied, and the owners are made to pay 1*l.* or 2*l.* for each head of cattle. This is done only in some estates and not in others.

4. That after coffee estates are planted on hills belonging to Government, the neighbouring waste lands, being private property, are prevented from being cultivated, on the alleged ground that they are Crown property.

5. Whenever taverns are established in the interior, either on the road side, or in the villages, the neighbouring inhabitants become drunkards, use indecent language, gamble, commit robberies, burn houses, and, in some instances, commit murder.

6. Some of the low country people, uniting themselves with some drunkards, kill, privately, cattle of other people, and eat their flesh.

7. A man who owns only one palles extent of paddy land, and having four children, in disposing of it before his death has to go to the notary, who may happen to live in a distant place, to get four talpots written, and he is obliged to pay for eight stamps, some eight rix dollars (12*s.*), and the notary's fee, some four or six rix dollars (6*s.* or 9*s.*).

8. To sue a party for a piece of land, valued only 100 riders (a little more than 2*l.*), a man is obliged to pay to the proctor 3*l.*; the defendant also pays as much to a proctor, and both parties are obliged to buy about 30 stamps. After the case is decided, the proctor of the party who won the case recovers the costs of the suit from the losing party, who not only finds that he has not property enough to pay the same, but that he has not the means to live in the world.

9. While the people were labouring under these difficulties, an order was issued in July last that the Government Agent will proceed to Udunuwera. The Rate Mahatmeyas and Korals ordered that a road five feet in breadth should be opened through the country, as well as roads round the houses, and also those that were in existence during the time of the ancient kings. They also added, that the object of the agent's visit was to assess the houses and gardens preparatory to a tax being levied upon them.

10. The Rate Mahatmeya ordered all the guns to be brought to his house in that month, when he explained to the people that they must annually obtain a license, by paying 3*s.* to keep the same, and if they failed to do so, they would be subject to a fine of 5*l.* In consequence of which some of the people returned home, giving their guns to the Rate Mahatmeyas, some took their guns to the Cutcherry and left them there, some broke their guns, some sold them, and some took licenses.

11. Another order was published in the same month, that a license was required to be taken for every dog, by paying 1*s.* 6*d.* for each; upon which some people drowned some pups, and bitches big with pups, and also otherwise destroyed their dogs.

12. Another order was issued in the same month, that every male between 18 and 55 years old would be required to pay a sum of 3*s.*, if not to work 12 days on a road. The names of some people who had passed their sixtieth year were taken down as being 50 years old. When some said that they were older, their horoscopes were sent for, and a good deal of difficulties were created. Besides this, an account of the trees, the extent of the paddy fields, an account of the cattle, that of dogs and fowls, and of vegetables were taken. Some stated that the people would have to pay for these also, at which they were alarmed. It was also added, that potters would have to pay at a greater ratio.

13. In consequence of these reports, and as the people are not able to pay for all of the alleged taxes, they repaired to the house of the Rate Mahatmeya and consulted on the subject, when he said that he was going to Kandy, and they might also come; in consequence of which, and the difficulty of paying them, they assembled at Kandy, and again returned to the country.

But the object of this benevolent Government, which is like the sun that sends his beneficent rays on every country, and all classes of people in the world, had been clouded by the ignorance of those who explained the recent Ordinances, and which created a dissatisfaction among the unenlightened. I have heard, and have reason to believe, that the impostor, by name Gangalegodde Tikery Banda, or David of Pelleagodde, took advantage of the excitement of the people and raised this rebellion.

The above circumstances having come to my knowledge I submit the same in writing.

(Signed) PANEBOKKE GOONERATENE UNNANSE.

Kandy, 28th August, 1848.

A true Copy.

WILLIAM CHARLES GIBSON.

(No. 179.)

No. 34.

CEYLON.

No. 34.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo,
October 10, 1848.

(Received November 24, 1848.)

MY LORD,

I HAVE the honour to report that the session of the Legislative Council for the present year was opened on the 2nd instant; and I forward to your Lordship a copy of the address which was delivered by me on that occasion. The topics which it embraces are of more than usual importance at the present time.

1.

I have, likewise, the honour to transmit to your Lordship a copy of the address which was presented to me by the Legislative Council, and of the reply which I made to it. It will be gratifying to your Lordship to learn that there is every prospect of the deliberations of the Council being conducted in a spirit of harmony, and with an earnest desire for the public good.

2.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Enclosure 1 in No. 34.

Encl. 1 in No. 34.

LEGISLATIVE COUNCIL.

ADDRESS of His Excellency the Right Honourable Viscount TORRINGTON, on opening the Session of the Legislative Council.—October 2, 1848.

GENTLEMEN OF THE LEGISLATIVE COUNCIL,

SINCE the close of the last Session of the Legislative Council, important events have occurred in this colony, to which I desire briefly to call your attention.

You are already aware, that in certain portions of the Kandyan districts, the evil designs of ambitious individuals, taking advantage of the casual as well as traditional influence of their position over an ignorant population, have induced them to array themselves in open hostility to the Government; actual encounters have taken place with Her Majesty's forces, which have terminated, as might be expected, in the entire defeat and dispersion of the insurgents, and must have convinced them of the utter hopelessness of armed resistance to Her Majesty's authority.

It is satisfactory to me to be able to announce to you, that the individual who on this occasion was set up as the pretended king has now been captured; and that not only have many of his partizans and followers been already brought to punishment, but important disclosures have been made, which will, I hope, suffice completely to establish the guilt of the originators of the late conspiracy.

It is my earnest desire that the operation of martial law shall be terminated without delay; for I have every confidence that the energetic measures which have been already successfully adopted will suffice to prevent any renewal of the late treasonable attempts.

To the rapid and vigorous movements of His Majesty's troops, so ably conducted by the officers entrusted with their command, and to the prompt declaration of martial law in the disturbed districts, must it be attributed, that the actual insurrection was confined within very narrow limits.

That future doubts and difficulties may be avoided, a Bill of Indemnity will be laid before you, for all *bonâ fide* acts done by the constituted authorities during the existence of martial law. Papers connected with this subject will be presented to you.

The slight and passing excitement which has been raised in some other parts of the colony, arising from a variety of causes and misapprehensions, will not, I trust, be again renewed. I am persuaded that the feelings of the mass of the people will continue to be at all times peaceable and loyal.

I am happy to inform you, that of the 24 Ordinances which were passed during the last session, 19 have already received Her Majesty's confirmation. I shall have occasion to submit for your consideration, a few slight amendments in the details of some of these Ordinances, which will, I hope, be calculated to improve and facilitate the operation of them.

At a period of general commercial difficulty throughout the world, Ceylon could scarcely escape the effects of an universal crisis. But it is gratifying to me to be able to state to you, that the net revenue of the year ending 31st December, 1847, exceeded that of 1846 by the sum of about 24,000*l.*, which was, in a great measure, due to an increase in the receipts from customs. On the other hand, the comparative expenditure for the same period was in reality somewhat less in 1847 than in the previous year.

But, notwithstanding the improved state of our finances for the past year, as compared with that of 1846, the fact cannot be withheld from you, that the revenue of the year 1847 fell short

CEYLON.

of the expenditure within the same period by the sum of about 58,000*l.*, although every effort has been made, since my assumption of the government, to restrict the expenditure within the narrowest possible limits. The surplus revenue accumulated in more prosperous periods has, at length, become exhausted.

It is, however, consolatory to find, as will appear from a statement which will be laid before you, that the revenue for the first six months of the current year has exceeded the expenditure for the same period by the sum of 14,594*l.* 12*s.* 9*d.* But heavy expenses will have been incurred on account of the military operations since that period; and it will be obvious to you that means must be found, by a rigid curtailment of outlay on the one hand, and by the most cautious efforts to improve our revenue on the other, so as to adjust our finances that the proper equilibrium may be constantly maintained between the income and expenditure of the colony.

Upon this subject communications will shortly be submitted to you; and I am happy to be able to announce to you that it is the direction of Her Majesty's Government, that the entire expenditure of the colony, fixed as well as contingent, shall be brought under the review of the Legislative Council.

The depression under which the colony is at present suffering, in common with other parts of the world, will, I trust, gradually give place to more cheering prospects. I can perceive no ground for despondency.

The abolition of the export duties will afford some relief to the agricultural and commercial interests, although at a sacrifice to the public revenue; and I feel confident that when the temporary depression shall have passed away, the prospects of the planting interests generally will revive, and that new sources of industry and advancement will be developed.

I trust that no efforts will be wanting to secure the lasting peace and tranquillity of the country, so essential to the welfare and prosperity of the people.

I confidently rely upon your loyalty, and your anxious desire to co-operate with me at all times in the adoption of such sound and wholesome measures as will be calculated, under the blessing of Providence, to secure the happiness and contentment of all classes of the inhabitants.

Encl. 2 in No. 34.

Enclosure 2 in No. 34.

ADDRESS of the Legislative Council to the Right Hon. the Governor, in reply to his Excellency's speech of the 2nd October, 1848.

To His Excellency the President of the Legislative Council, the Right Hon. Viscount Torrington Knight Grand Cross of the Order of Ernestine of Saxony, Governor and Commander-in-Chief in and over the British Settlements and Territories in the Island of Ceylon with the Dependencies thereof.

MAY IT PLEASE YOUR EXCELLENCY,

WE beg to express to your Excellency our satisfaction at the speedy and successful suppression of the insurrection which has taken place in some districts of the interior, and for which we feel ourselves indebted to the prompt declaration of martial law, and the zealous and able exertions made by the officers, non-commissioned officers, and privates of Her Majesty's forces serving in the colony.

We fully participate in your Excellency's earnest desire for the speedy termination of martial law; and we shall be ready to give our best attention to the Bill of Indemnity proposed to be laid before us.

We are gratified to find that a great majority of the Ordinances passed during the last session have already been confirmed by Her Majesty; and we shall gladly assist in making any alterations of them which will facilitate their operation.

The statement which has been made to us respecting the revenue and expenditure cannot but cause us much anxiety. We participate fully in your Excellency's desire to enforce the strictest economy, so far as consistent with the public interests, in every branch of the service: and we trust to prove ourselves worthy of the confidence displayed towards us by Her Majesty's Government in directing your Excellency to submit to our deliberations the entire expenditure of the colony.

We sincerely trust that your Excellency's anticipation of the removal of our present agricultural and commercial depression will be realized, and shall be ready at all times to co-operate in any measure which may tend to that desirable result.

WM. SMELT.
J. EMERSON TENNENT.
H. C. SELBY.
C. J. MACCARTHY.
F. J. TEMPLER.
P. E. WODEHOUSE.

W. H. SIMS.
G. VANE.
J. ARMITAGE.
J. SMITH.
J. SWAN.

REPLY of his Excellency the Right Hon. Viscount Torrington to an address from the Legislative Council—October 4, 1848.

GENTLEMEN OF THE LEGISLATIVE COUNCIL,

I RECEIVE with much gratification the loyal and encouraging address which you have now presented to me.

I have the fullest confidence in your anxiety to co-operate with me cordially in carrying out the benevolent intentions of Her Majesty's Government; and I sincerely trust that the results of our deliberations, conducted in a spirit of harmony and zeal for the public welfare, will be conducive to the maintenance of peace and to the advancement of the prosperity of the colony.

(No. 180.)

No. 35.

No. 35.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo,
October 11, 1848.

(Received November 24, 1848.)

MY LORD,

AT the commencement of the session of the Legislative Council, I thought it very desirable that the members of that body should be in possession of an authenticated statement of the revenue and expenditure of the colony for the first half of the current year, and that they should be accurately informed of the state of the funds of this Government on the 1st day of January and the last day of June, respectively.

2. Accordingly I directed the tables which I have now the honour to enclose to be prepared by the Auditor-General, and I take the opportunity of offering a few remarks upon the financial statements which they contain.

3. It will be satisfactory to your Lordship to find, that, by the exercise of rigid economy in every department, there has been a decrease in the actual expenditure for the half-year, as compared with the estimated, of not less than, 20,435*l.*; that the diminished expenditure has been most striking under the head of establishments, and that the economical arrangements which have also been adopted under other heads have been of so successful a nature, that I have been enabled to devote to the expenditure on roads and public works, the repair and improvement of which were extremely urgent, nearly 10,000*l.* more than was anticipated. Nevertheless the total expenditure of the half-year fell within the total revenue for the same period, by not less a sum than 14,594*l.*; a result which is the more gratifying as it could not have been anticipated that circumstances would have since occurred, which must necessitate an expenditure for military purposes entirely beyond the ordinary calculations which could have been framed.

4. Among the items of revenue for the half-year, which call for more particular notice, it will be observed that although the amount derived from sales of land has fallen short even of the small amount estimated for it by about one-third, the sum derived from land revenue is larger than was anticipated by more than is sufficient to cover the deficiency under the former head; and I can have little hesitation in expressing my hope that at no distant period the revenue to be derived from this source of income will be considerably and permanently augmented.

5. Under the head of licenses there appears to be the very remarkable decrease of the actual compared with the estimated receipt, of upwards of 14,500*l.* But this deficiency is rather apparent than real, for I have ascertained that it is occasioned by the large amount of arrears due from the renters of the arrack farms, particularly in the central province, where the effect of the hardness of the times has been most severely felt. These arrears will of course have to be recovered.

6. Upon the whole, it is satisfactory to find, that even deducting the above arrears, the total revenue of the first half of 1848, compared with the corresponding period of 1847, exhibits only a decrease of 3,574*l.*, while the decrease in the comparative expenditure for the same periods was more than six times that amount.

Table 2.

CEYLON.

Balance credit,
89,291*l*.
Total notes,
87,400*l*.

7. On reference to Table No. 3, it will be apparent that the state of the funds of this Government on the 30th of June was more satisfactory than might have been expected, and that the clear balance to its credit was somewhat larger than the total amount of Government notes, both in the cash chests and in circulation.

8. Upon the subject of the present state of our funds, and of the expenses incident to the military operations in the proclaimed districts, I propose to apply myself to the consideration of this important matter in another Despatch.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c.

(Signed) TORRINGTON.

Encl. in No. 35.

Enclosure in No. 35.

FINANCIAL STATEMENTS laid before the LEGISLATIVE COUNCIL of CEYLON by
SIR J. E. TENNENT, on the 4th of October, 1848.

No. 1.

Abstract Statement of the Revenue and Expenditure of the Colony of Ceylon for the first Half-year of 1848.

REVENUE.			EXPENDITURE.		
	£.	s. d.		£.	s. d.
Arrears of Revenue of former years	22,640	11 9½	<i>Establishments:—</i>		
Customs	68,137	9 0½	Fixed Salaries	£76,199	2 0½
Port and Harbour Dues	1,520	17 0½	Provisional and Temporary ditto	11,269	18 10½
Land Sales	4,068	15 10½	Allowances	1,919	1 3½
Land Revenue	26,603	8 5	Office Contingencies	1,728	4 2
Rents exclusive of Land	12,390	18 2½		91,116	6 4½
Licenses	23,211	13 4½	Pensions and Retired Allowances	16,730	3 1½
Stamps	13,135	11 8½	Revenue Services exclusive of Establishments	3,315	9 4½
Taxes (Assessment)	3,969	8 4½	Administration of Justice Ditto	834	14 0½
Postage	4,182	15 0½	Ecclesiastical Ditto	500	0 0
Fines and Forfeitures	2,487	19 4½	Education Ditto	185	2 5½
Sale of Government Property	27,972	2 9½	Hospitals Ditto	1,144	15 9½
Ration Stoppages from H. M. Troops	6,146	9 1	Police and Gaols Ditto	2,228	10 11
Reimbursements in aid of Expenses incurred by Government	355	19 5	Rent	890	7 7½
Interest	1,845	9 4½	Transport	1,829	14 3½
Government Vessels	197	1 0	Conveyance of Mails, exclusive of Establishment	492	10 0
Miscellaneous & Special Receipts Ditto by the Agent General in London	6,193	5 0½	Works and Buildings	2,667	12 9½
	946	15 7	Roads, Streets, and Bridges	13,666	0 6½
			Charitable Allowances	1,543	14 2½
			Interest	193	18 11½
			Miscellaneous Services	3,862	12 7½
			Colonial Commissariat	12,063	5 0½
			Contribution towards Military Expenditure	12,000	0 0
			Colonial Pay and Allowances	16,882	13 3½
			Government Vessels, exclusive of Establishment	206	2 9½
				192,353	14 2½
			<i>Advances for the Public Service, to be afterwards adjusted and brought to account under the following heads. viz.—</i>		
			Establishments	£1,869	5 4½
			Contingent Services	5,101	4 9½
			Works and Buildings	4,531	13 6½
			Roads and Bridges	10,813	11 6½
			Colonial Commissariat	6,654	3 11½
			Colonial Pay & Allowances	88	4 4½
				29,058	3 6½
				211,411	17 8½
			Excess of Revenue	14,594	12 9½
Total	£226,006	10 6½	Total	£226,006	10 6½

E. E.

C. J. MACCARTHY, Auditor General.

No. 2.

Comparative Statement of the Estimated and Actual Revenue and Expenditure for the 1st Half-year of 1848, and of the Total Revenue and Expenditure of the 1st Half-year of 1847 and 1848.

REVENUE.	Estimated Amount.	Actual Amount.	Increase of Actual Amount.	Decrease of Actual Amount.	EXPENDITURE.	Estimated Amount.	Actual Amount including Advances.	Increase of Actual Amount.	Decrease of Actual Amount.
£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
Arrears of Revenue of former years	22,544	22,641	97	..	Establishments	105,085	92,986	..	12,099
Customs	72,600	68,137	..	4,463	Pensions and Retired Allowances	17,939	16,730	..	1,209
Port and Harbour Dues	2,075	1,521	..	554	Contingent Services	26,241	22,328	..	3,913
Land Sales	6,145	4,069	..	2,076	Works and Buildings	5,850	7,199	1,349	..
Land Revenue	22,702	26,603	3,901	..	Roads, Streets, and Bridges	15,987	24,480	8,493	..
Rents exclusive of Land	12,856	12,391	..	465	Colonial Commissariat	28,472	18,717	..	9,755
Licenses	37,783	23,212	..	14,571	Contribution towards Military Expenditure	12,000	12,000	..	..
Stamps	12,140	13,136	996	..	Colonial Pay and Allowances	20,272	16,971	..	3,301
Taxes—Assessment	3,118	3,969	851	..					
Postage	3,753	4,183	430	..					
Fines and Forfeitures	1,165	2,488	1,323	..					
Sale of Government Property	28,476	27,972	..	504					
Ration Stoppages from H. M. Troops	7,034	6,146	..	888					
Reimbursements in aid of Expenses incurred by Government	132	356	224	..					
Interest	1,274	1,845	571	..					
Government Vessels	..	197	197	..					
Miscellaneous and Special Receipts	3,698	6,193	2,495	..					
Ditto by Agent-General in London	845	947	102	..					
	238,340	226,006	11,187	23,521		231,846	211,411	9,842	30,277
Deduct Increase	..	..	..	11,187	Deduct Increase	..	..	..	9,842
Decrease in actual Revenue	..	..	..	12,334	Decrease in actual Expenditure	..	..	..	20,435
Total amount of Revenue of the 1st Half-year of 1847	£229,580				Total Amount of Expenditure of the 1st Half-year of 1847	£233,202			
„ „ „ „ 1848	£226,006				„ „ „ „ 1848	£211,411			
Decrease in 1848	£3,574				Decrease in 1848	£21,791			

E. E.

C. J. MACCARTHY, Auditor-General.

No. 3.

State of the Funds of the Ceylon Government on the 1st of January and the 30th of June, 1848, respectively.

On the 1st January, 1848.					On the 30th June, 1848.				
Balance due to the Ceylon Government, viz. :—					Balance due to the Ceylon Government, viz. :—				
Balance in the Public Cash Chests—					Balance in the Public Cash Chests—				
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.
In the Treasury	56,097	3 1½				In the Treasury	73,499	8 0½	
„ Western Province	3,446	11 3				„ Western Province	3,625	1 9	
„ Southern ditto	9,950	13 0				„ Southern ditto	12,019	2 1	
„ Northern ditto	8,170	3 4				„ Northern ditto	8,067	17 7½	
„ Eastern ditto	959	7 10½				„ Eastern ditto	6,853	1 8½	
„ Central ditto	7,639	13 9				„ Central ditto	10,370	18 9½	
„ North-western ditto	3,572	13 6½				„ North-western ditto	5,833	15 5	
	89,836	5 10½					£120,269	5 4½	
Balance due by the Agent-General in London	12,051	3 11				Balance due by H. M. Government on account of advances made for the Army Service	15,571	17 11½	
Ditto Government of Hong Kong	1,224	7 0½				Ditto by the Agent-General in London	4,186	12 2	
Ditto Col. Agent at Bombay	903	15 8	104,015	12 6½		Ditto by the Government of Hong Kong	1,538	2 8½	
									141,565 18 3
Balance due by the Ceylon Government, viz. :—						Balance due by the Ceylon Government, viz. :—			
To H. M. Government on account of remittances received in Specie	£10,000	0 0				To the Presidencies in India	23,867	16 10	
Deduct Balance due to this Government on account of advances made for the Army Service	3,129	8 0½				„ Mauritius Government	101	8 0	
	6,870	11 11½				„ Colonial Agents in India	1,687	9 0	
To the Presidencies in India	21,051	11 11				„ Deposits on sundry Accounts	31,952	13 4½	
To the Col. Agents at Calcutta and Madras	1,396	3 5½	29,318	7 3½					57,609 7 2½
						Balance in favour of the Ceylon Government			83,956 11 0½
Balance in favour of the Ceylon Government Excess of Revenue over Expenditure to 30th June, 1848			14,594	12 9½		Balance of Drafts and Remittances in transit			5,335 6 11½
			£89,291	18 0½					£99,291 18 0½

E. E.

C. J. MACCARTHY, Auditor-General.

CEYLON.
No. 36.

(No. 184.)

No. 36.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo,
October 14, 1848.

(Received November 24, 1848.)

MY LORD,

No. 1848.
143, Aug. 14, page 188.
144, " " page 186.
149, Aug. 15, page 199.
164, Sept. 14, page 217.
165, Sept. 15, page 226.

IN continuation of the series of Despatches noted in the margin relative to the Kandian insurrection, which I have had the honour to address to your Lordship by the two last mails, I have now to report that the public peace has become entirely restored in the disturbed districts, and that the people who have hitherto absented themselves in large numbers from their villages, are quietly returning to resume their ordinary avocations.

1.

2. By a proclamation of which I enclose a copy, the operation of martial law in those parts of the country in which the insurrection had manifested itself, ceased to have effect on the 10th instant; and the vigorous measures which were adopted for the suppression of the outbreak at its commencement in the places where it originated, and for preventing the transfer of the disturbance to other parts of the country, which had in a manner been prepared beforehand to take it up, have been of so successful a nature as to have completely staggered the disloyalty of the chiefs, and left them powerless in the hands of Government. I feel assured that the lesson will be long remembered.

2.

3. As the rainy season was already setting in, and sickness to a small extent had broken out among the troops stationed at Dambool, under the influence of which I have to deplore the loss of an excellent officer, Captain Gray of the Ceylon Rifles, the whole of the detachments stationed at the outposts have been called in, and our military force may now be said to occupy nearly the same positions (with the exception of the detachments still stationed at Kur-negalle and Matelle) as they did before the commencement of the outbreak. I enclose the latest distribution of troops in the Kandian provinces. Two companies of the 37th Regiment have returned to Trincomalee, and I am gratified to be able to state, that the Major-General commanding entirely concurred with me in opinion, that there was no longer any sufficient reason for incurring the expense of retaining in the island the three companies of Her Majesty's 25th Regiment, which were brought from Madras. Part of them were therefore conveyed back to that presidency in Her Majesty's steam-sloop "Fury," in the middle of last month, and the remainder in Her Majesty's steam-sloop "Inflexible," at the beginning of the present month. I have no reason whatever to regard this reduction of our force as premature or imprudent under existing circumstances; for independently of the immediate restoration of tranquillity, the moral effect upon the native mind of the rapidity with which assistance to any extent can be procured through the agency of steam will, I hope, be calculated to deter them from any renewal of their treasonable designs at any future time. In this sense, perhaps, the rapidity with which our military force was augmented will have a more lasting influence over the minds of the Kandians, than the actual presence alone of the timely addition to our strength.

4. The pensioners of the Ceylon Rifle Regiment, who were called out for temporary military service, have likewise been dismissed from this duty; and the divisions of Road Pioneers, who were called in for escorts, and for other services connected with the movements of the regular troops, have been restored to their ordinary duties.

5. But in reporting to your Lordship these various steps, which are indicative of my confidence in the maintenance of the public tranquillity, it is particularly gratifying to me to be able to announce to your Lordship the capture of the pretended king, on the night of the 21st ultimo, by a party of six Malay soldiers of the Ceylon Rifle Regiment, who were conducted in disguise by a native attendant of the pretender to a secluded cave within a few miles of Matelle, where he was discovered quite unattended. A native had been stationed by him upon the top of the rock in which the cave was situated to keep watch, but had either fallen asleep or run away. The pretender was captured after a severe struggle, and was immediately brought into Matelle, where he was kept under a strong guard until the afternoon of the following day, when he was conducted into Kandy, and kept in close confinement in the barracks.

6. Although he has latterly been somewhat reserved and contradictory in

his communications, I can have little doubt that the statements which he voluntarily made immediately after his capture, when his mind was more oppressed by the danger of his position, were substantially correct. He did not hesitate to declare, that nearly every headman of any influence in the Kandian districts was either privy to, or a party actually concerned in, the movement. Some of them sent him presents of money and arms; others promised to send, or actually sent armed men, and even led them themselves: and it is a remarkable circumstance, that this adventurous person who states that he somewhat reluctantly permitted himself to be set up as a king *ad interim*, at the request of the most influential chiefs, and who played a similar part in the incipient insurrection of 1843, seems to have been perfectly conscious that whatever might be the success of the rebellion, he at least was not ultimately to enjoy his kingly honours, but was to be displaced by one or the other of two parties resident in the island, who claim relationship with the late royal family of Kandy.

7. If any reliance can be placed upon his statement, it would appear that application was made beforehand to both of these individuals to induce them to take some part in the projected rebellion, but they declined to join in so hazardous an attempt. But had the insurrection met with any temporary success, it is deemed probable that one of these individuals named Soobrayoloo, who has on several occasions addressed petitions to your Lordship, would have been set up as king.

8. Allusion has already been made in previous despatches to the part which the Dewe or Maha Nilleme, the head of all the Kandian chiefs, and whom I have before described as the only remaining survivor of those chiefs who signed the treaty of 1815, was suspected of taking in the present movement. Although the evidence against him appeared to be very strong, he was not put upon his trial at the late special sessions of the Supreme Court, because the Queen's Advocate doubted whether he would be convicted by the jury. But he was held to bail, to appear when called upon to answer any charge which might be brought against him for high treason within six months. But the statement which the pretended king has now made, tends to corroborate so completely the evidence which was previously taken, that there can be no room for doubt that this very influential chief was deeply implicated in the getting up of the late rebellion. He has, therefore, been again taken into custody, and will, I hope, be tried before the Supreme Court at the ordinary sessions in the course of next month. Another very influential chief, who appears to have been the principal instigator of the movement, by name Golahella, who was not long since dismissed from the service of Government, has also been again taken into custody, in consequence of the rebel pretender's statement.

9. Further ramifications of this wide-spread conspiracy are rapidly coming to light, and tend to point out how completely the designs of the chiefs had been screened from the eye of Government, and how long, how insidiously, and yet how forcibly, the hatred of British rule, or perhaps the longing for the restoration of the quasi-feudal power of the chiefs had smouldered in their hearts. At the same time it is abundantly evident that the mass of the people neither understood the real nature of the designs of the chiefs, nor willingly lent themselves to their development.

10. It may not be without interest, as illustrative of some of the features of the present movement, to bring to your Lordship's notice, that a petition was addressed to Government by the Kandian chiefs, shortly after the abolition of forced labour in 1832, which more particularly bore upon the withdrawal of those honorary distinctions to which the chiefs had always been attached, and to which they conceived they had still a valid claim under the treaty of 1815. They already foresaw the future decline of their authority, and showed their dread of diminished influence, by praying that their country might not be incorporated with the maritime districts, and that the distinctions and titles of adigars, dissaves, &c., might not be abolished.

11. On the other hand, as a proof that the legitimate influence of the chiefs and headmen in the service of Government may be readily and advantageously directed for the benefit of the Government, and no less so of the people, whenever they can be induced to employ it with that object, it is deserving of notice that the people are at this moment busily and cheerfully occupied of their own free will, and without either remuneration or compulsion on the part of Govern-

CEYLON.

ment, in repairing and opening some of the neglected lines of road in the neighbourhood of Kandy (the Government only finding tools), and that no less than 300 men have been for a short time employed in clearing an unfinished canal.

12. As the insurrection in the Kandian districts may now be considered at an end, and as martial law has ceased to have effect, I propose to forward to your Lordship in another Despatch, an epitome of all the trials by courts-martial for offences committed during the existence of martial law; and I shall at the same time transmit for your Lordship's information, the notes of evidence taken by the Chief Justice during the trials for high treason at the special sessions of the Supreme Court.

3.

13. I cannot omit to take advantage of the present opportunity of forwarding to your Lordship the accompanying copy of a letter addressed to me by Lieut.-Colonel Drought, of Her Majesty's 15th Regiment, commandant of the troops employed in the Kandian districts, and to whom have been entrusted the whole details of the military arrangements in that part of the country, and to whose energy, activity, sound judgment, and zeal for the public good must, in a great measure, be attributed the successful and rapid suppression of the insurrection. Your Lordship will perceive that Colonel Drought does full justice to the excellent spirit, soldier-like bearing, and admirable discipline for which the officers, non-commissioned officers, and privates of Her Majesty's forces were alike distinguished throughout the whole of the operations which have terminated with such signal success, under circumstances of considerable privation and exposure.

14. Appended to Colonel Drought's letter is likewise an account of the movements of the rebel pretender from the commencement of the insurrection until his ultimate capture. On no former occasion, during the many previous attempts at rebellion, has the real pretender been captured; for although the individual at present in custody was one of the several active agents who were tried and acquitted in 1843,* he was only one of those to whom the title of king was then casually assigned, in order to screen the real puppet of the moment among the multiplicity of pretenders. The persevering activity and incessant watchfulness of the small detachments of our troops on the present occasion, sufficed to render escape impossible. I cannot but hope that what has now occurred will prove to be the final effort to resist Her Majesty's authority, and that the peaceful administration of the Kandian province will henceforth be as distinctly assured as that of the other portions of this colony.

15. In conclusion, my Lord, it gives me no less pleasure to be able to state, than it will afford to your Lordship to be informed, that I have every hope that the additional expenditure which will necessarily have been incurred on account of the measures taken for the suppression of the rebellion, will be ultimately defrayed without in any way calling for assistance from imperial funds. To the government of Madras my best thanks are due, not only for the readiness and energetic spirit with which assistance was rendered to me at a moment of difficulty with almost a chivalrous promptitude, but to their liberality also this Government is indebted, that they are not prepared to make any greater demand upon the resources of this colony for the expenditure which must arise out of the employment for local purposes of the detachments of Her Majesty's 25th Regiment, with their camp followers and camp equipage, than the actual additional charges which have been incurred beyond what it would have been necessary for them to defray had the required reinforcements been uninterruptedly retained as part of the garrison of Fort St. George.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

* See Correspondence on the Kandian Rebellion of 1843, contained in the Appendix to this Paper, page 348.

Enclosure 1 in No. 36.

CEYLON.

In the name of Her Majesty Victoria, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith. Encl. 1 in No. 36.

PROCLAMATION

By His Excellency the Right Honourable Viscount Torrington, Knight Grand Cross of the Order of Ernestine of Saxony, Governor and Commander in Chief in and over the British Settlements and Territories in the Island of Ceylon, with the Dependencies thereof.

TORRINGTON.

WHEREAS by our Proclamations bearing date respectively at Colombo the 29th and 31st days of July, 1848, for the reasons therein set forth, we did proclaim and declare the districts of Kandy and Kurnegalle to be in a disturbed state, and that from and after the publication in the said districts respectively of our said respective Proclamations, martial law should be in force within the said districts until further orders. And whereas the measures which have been taken for suppressing the rebellion in the said Proclamation mentioned, have been happily attended with the most complete success, so that public tranquillity has been restored, and there is no longer occasion for the continuance within the said districts of martial law. Now therefore, by virtue of the powers and authorities in us vested, we do hereby make known and declare, that martial law shall wholly cease to be in or have force and effect within the said districts of Kandy and Kurnegalle on and from the 10th day of this present month of October. And we do hereby call upon those inhabitants, who through fear of violence from the persons concerned in the said rebellion have quitted their villages, to return to their respective homes, and to resume their usual occupations, assuring them that the most effectual measures have been taken for securing the permanent peace of the country, and for the protection of all Her Majesty's faithful subjects in this island.

Given at Colombo, this fourth day of October, one thousand eight hundred and forty-eight.

By His Excellency's command,

W. C. GIBSON, Asst. Col. Sec.

God save the Queen!

Enclosure 2 in No. 36.

Encl. 2 in No. 36.

RETURN of Troops serving in the Kandian Provinces.

STATIONS.	Corps.	Field Officers.	Captains.	Subalterns.	Staff.	Native Officers.	Serjeants.	Drummers.	Rank and File.
Kandy	Royal Artillery . .	..	..	1	..	..	1	..	21
	" Engineers . .	..	1	..	..	..	..	..	..
	15th Regiment . .	1	3	8	4	..	28	9	470
	37th " . .	..	..	..	..	..	..	..	1
	Ceylon Rifles . .	..	1	6	..	5	13	4	180
Nuwera Ellia . .	Gun Lascars . .	..	..	..	..	..	1	..	25
	Staff . .	..	..	..	1	..	..	..	..
	15th Regiment. . .	..	..	2	..	..	4	2	77
Baddoola	Ceylon Rifles . .	..	1	..	..	..	..	..	..
	Staff . .	..	..	..	1	..	..	..	..
	Royal Artillery. .	..	..	..	..	..	..	..	2
	Ceylon Rifles . .	..	1	3	..	3	5	2	99
Matelle	Gun Lascars . .	..	..	..	..	..	..	..	2
	Ceylon Rifles . .	..	1	2	1	2	5	1	63
Kornegalle	" " . .	..	..	2	..	1	3	2	51
Annooradjahapooru . .	" " . .	..	..	..	..	..	1	..	20
Total . .		1	8	24	7	11	61	20	1011

Colombo, October 14, 1848.

(Signed)

J FRASER,

Dep. Quar. Mas. Gen.

Enclosure 3 in No. 36.

Encl. 3 in No. 36.

MY LORD,

Kandy, October 12, 1848.

THE restoration of perfect tranquillity and confidence throughout Ceylon after a rebellion, which for a time threatened the country with the most disastrous consequences, the capture of the pretender king, and the removal of martial law, enable me to congratulate your Ex-

CEYLON.

cellency on the happy termination of events; in doing which I have to request you will accept my best thanks for the full confidence you were pleased to place in me, and for the support I experienced from you throughout, in the responsible and arduous duties of my command. To your Excellency's prompt, energetic, and admirable arrangements on the first moment of hearing of the outbreak, together with our early and complete success over the insurgents on each occasion, thus crushing the rebellion in the bud, may be attributed these happy results.

It is to me a most gratifying duty to bring under your Excellency's notice the admirable conduct of the entire of the troops serving under my immediate orders in the Kandian provinces throughout the late operations, each officer vying one with the other as to who could make himself most useful. The cheerful willingness of the non-commissioned officers and men was conspicuous.

I cannot well express how thankful I feel that no losses were sustained, and that the troops enjoyed uninterrupted health from the commencement up to the present hour. A gratifying reflection also to me, and what few can under similar circumstances boast of, is, that during the entire period that the troops have been actively employed (at times with fourteen detachments moving through the country), there were but two instances of breach of discipline which were instantly disposed of by courts martial; nor have there been excesses of any kind or any acts of ill treatment towards the native population by the troops. To these points I have the greatest satisfaction in referring, knowing how much your Excellency is interested in the subject, and I am also happy at being able to say, without fear of contradiction, that after the few first days of the rebellion, as confidence began to be restored, trade and traffic of all kinds went on as usual; every protection that I could command was given to all who were willing to proceed on their lawful pursuits.

I have good reason to be proud, and feel more than satisfied, being fully convinced that no one could have received more cordial support than I have experienced not only from all those under my command, but from the gentry and all the respectable inhabitants of Kandy and the surrounding neighbourhood, who came forward and placed their services at my disposal. I shall take the liberty on an early occasion of bringing under your Excellency's notice, the names of some who have rendered good services to the Government.

I am using every exertion in my power to complete all returns of sequestered property, so as to furnish you with the final settlement previous to the departure of the overland mail; although I much fear I may not succeed in doing so, as the progress of restoring the property is tedious, in consequence of my not being able to ascertain, until after the closing of the supreme court and the courts-martial, what parties were and what were not entitled to be reinstated in their property, and the list of prisoners discharged by the supreme court now proves very numerous. Although the work may not be finished so soon as I could wish, still I trust and hope that when completed it will be found to have been done with care, and prove satisfactory. The moment I receive them from the several districts, I shall examine and despatch them to your Excellency.

I have the honour to append to this letter an epitome of the pretender king's career, which is the most authentic I have been able to procure, with a faithful account of his capture.

I have, &c.

(Signed) T. A. DROUGHT,
Lieut.-Col. 15th Regiment,
Commanding the Troops in the Kandian Provinces.

I here give the following epitome of the pretender's career and capture, which may be interesting.

Gonegallegodde Banda, the pretender, is stated to be a descendant of Rajah Singha, king of Kandy; but there appears to be no real foundation for it, as he is believed to be a low-country Singhalese, whereas the kings of Kandy were of Malabar descent, but his mother is said to be a Kandian woman. He has figured in two former rebellions, and was tried for high treason at Badulla in 1843, by the district court and acquitted; previous to the present occasion he was residing in the house of one Dotta pulla Pihemarale with his wife, and acting as a wederala or doctor; he was in Kandy five days previous to the assemblage of persons on the 6th July to protest against the taxes, and was the chief leader of the people; he lived while in Kandy at the temple called Dallāda Maligawa, whose priests provided him with food; when the crowd of people left Kandy, he remained one day in a jungle called Danha Golla, and received the homage of the Kandians as their king. From this place he proceeded to Dambool, where he remained in the forest. Gollahella Ratamahatmeya sent armed men to him at this place, who escorted the pretender to a cave in a portion of the forest Dahe Yatte Madda Gallinna, to await the arrival of more men; upwards of 400 of the Maha Nilleme's followers, well armed and carrying provisions, joined the pretender at this place. On Tuesday, 25th July, Paldema Aratchy came, when Ingura Watte Banda wrote an ola by order of the pretender to Gollahella Ratamahatmeya desiring him to state why he had not sent the cloths for his use, as he had sent all the other things; an answer was sent the next day with various articles for the pretender's use, stating they were for my "lord and king, until such time as you pass Ballacadaua, where I shall join you with the Maha Nilleme and cloths for five kings;" the day after (Wednesday) the pretender came with his armed followers to Dambool Vehara, and at half-past 11 A.M. was invested with the sword of state and proclaimed king of Kandy. The next morning the whole force proceeded to Selleman Galla to fire volleys and make rejoicings where a palankeen was brought, and the pretender and followers proceeded on to Pallaputwelle

where they remained that night. On Friday the pretender came to Wariapulle, where the palankeen was deposited, but he left during the night, and with four of his followers went to the house of Ettepulla Banda in Doomborka Owelle, leaving the charge of his army to Pahalluweare Wongodde Samy, his prime minister (now residing at Dambool). After the affray at Wariapulle on Saturday morning the pretender with a few followers went to Eleadua Jungle (to the very spot where he was afterwards secured), and remained there until Sunday, when he received an ola and some provisions from Dulledewe Maha Nilleme, and immediately left for Kurnegalle, where he arrived in time to lead on the second attack along with Berker Aratchy (one of the four men last tried and executed at Matelle). Being there defeated also, he made for Dambool, but was prevented by some cause or other, when he entered the forest of Maddaoelputta, where he remained some time closely watched and pursued by the several detachments sent in search of him, but upon the withdrawal of the troops from Dambool an opening was made for him, which he took advantage of, and was on his way to join his old adherents in Doombora and Hangrankettee, when he was seized in the cave.

On the 21st September, the pretender king was taken on the information given by a man who was in the habit of taking him his curry and rice, and who at last became so much alarmed for his own safety, that he came to Captain Watson and informed him that he would show him where the king was, provided he would give him assistance, but that no European could be of the party. Captain Watson sent six Malay soldiers dressed as natives, two modeliers, and a headman with the guide: the party left Matelle so as to arrive at the place of concealment just at dark, which was his feeding time: the guide went in first and took him his curry and rice as usual; the Malays crept in afterwards, and when in the middle of his meal they seized him; he struck and struggled with effect and got up on the side of the rock, but was soon pulled down, thrown on the ground, bound and conducted into Matelle at nine o'clock the same night. The cave in which he was, is described to be in a very large rock, situated in a very thick jungle about eight miles from Matelle, leading to the Elkadua district, so high as to command a view of the surrounding country. There was only one follower with the king at the time of his being captured, and he was stationed on the top of the rock to keep watch; it is supposed that he must have fallen asleep, and was awake by the noise occasioned by the king's arrest, and then made his escape. The pretender had a worn and jaded appearance, from the harassing he had experienced from the several detachments in pursuit of him.

Since his capture he has had every opportunity given him to make a voluntary statement, but he says little or nothing of himself; and the two headmen he mentions are the most influential men in the Kandian provinces. He denies in toto being elected king by the priests, or that they performed the Perit or any other ceremony when he was made king at Dambool; although the priests have, since his capture, been confronted with him and swear to his being the identical person who was crowned at Dambool. His statement goes on to implicate innumerable headmen throughout the country, which can only prove valuable if supported by corroborating evidence; however, from what has come out before the courts-martial and the Supreme Court, his account tends to establish a fact of which I have had but little doubt ever since the 6th July last, that almost all the headmen, chiefs, and priests, were the originators of this movement, and that the new taxes had very little to do with it beyond being a good pretext for urging on the people, who, as a body, I do not think were altogether willing to encounter the consequences of rebellion, but were worked on by superstition and the influence of the priests, and driven by the despotic control which unfortunately those chiefs possess, who decidedly bear a most inveterate and hostile feeling to British rule.

Description of the pretender Gonedallegodde Banda, otherwise Alluemplena Banda, otherwise Denees, now in the gaol of Kandy, and committed for trial before the Supreme Court:—height 5 feet 5½ inches, complexion light brown, eyes hazel, hair dark brown, beard and mustaches dark brown; marks, slight scar over the left temple, age 40, well proportioned and intelligent countenance.

(Signed) T. A. DROUGHT,
Lieut.-Col. 15th Regiment Commandant.

(No. 185.)

No. 37.

No. 37.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo,
October 14, 1848.

MY LORD,

(Received November 24, 1848.)

THE operation of martial law in the disturbed portions of the Kandian districts having now ceased, as reported in my Despatch No. 184,* by this mail, and the state trials before the special sessions of the Supreme Court, held at Kandy, having likewise been brought to a close, it becomes my duty to transmit to your Lordship, without delay, the general results of the trials held before the Supreme Court, and likewise of those held before the courts-martial, which were assembled at Kandy, Matelle, Dambool, and Kurnegalle, under the operation of martial law.

2. Thirty-four prisoners were put upon their trial before the Supreme Court

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presided over by the Chief Justice, of whom 17 were acquitted, and 17 were convicted of high treason. Of the latter, the greater part were recommended for mercy by the jury, and to that recommendation the Chief Justice added his own, that the individuals named by the jury should be transported for 14 years, and those not so recommended for the period of their natural lives.

3. Having submitted to my Executive Council the letter from Sir Anthony Oliphant, conveying these recommendations, together with the notes of evidence transmitted by him, I addressed to him the reply which I now enclose, in which I deemed it right to state to him, that I felt it necessary to adopt the recommendation which he had made, and which went even further than that of the jury; I had felt embarrassed by the unusual publicity given by him to that recommendation, before it had even been officially laid before me.

4. Of the remaining prisoners who were not liable to be tried by courts-martial, 40 were discharged on bail, and nearly 200 were finally discharged without bail. There are still 39 remaining in gaol to be tried at the ordinary sessions of the Supreme Court, which will be held at Kandy in the middle of the ensuing month.

5. I likewise transmit to your Lordship the complete returns of all the trials held before courts martial in the four places already mentioned, during the existence of martial law, between the 29th July and the 10th October, 1848.

6. From the summary of these trials, which is also transmitted herewith, it will appear that 28 individuals have been condemned to transportation for different periods, 18 have been condemned to death, and 66 have been condemned to various lighter grades of punishment.

7. The effect of these energetic measures during a period of unusual excitement, and when more than common temptation was held out to plunderers and marauders, urged on by felons who had been let loose out of the gaols at Kurnegalle and Matelle, was soon found sufficient to restore tranquillity.

8. I feel persuaded that if martial law had not been proclaimed at the outset, and a wholesome fear instilled into the minds of the evil-disposed, while encouragement and protection were at the same time held out to the peaceable and industrious portion of the inhabitants, there would have resulted from the social disorganization which would have ensued the most lawless system of plundering and violence, the Indian coolies would have been driven away or deterred altogether from coming to gather in the crops, and the ruin of the coffee plantations and their proprietors would have been inevitable. The crisis was one of those in which hesitation or doubtful measures would have been profitless or inexcusable, and I can have no hesitation in attributing to the military authorities the utmost desire to temper justice with mercy, and I am fully convinced that a stern sense of duty, under very trying circumstances, compelled them to adopt those vigorous measures which could alone lead to the tranquillization of the country, and the general security of Her Majesty's subjects in the Kandian province.

9. The good result is already strikingly apparent in the present peacefulness of all parts of the colony; and it is gratifying to learn that the coolies are again coming over for the crop season, and that confidence and industry are rapidly resuming the ordinary signs of their development.

10. I have only further to add, that through the valuable assistance of Commander Wilcox, of Her Majesty's steam sloop "Fury," the prisoners condemned to transportation were carried to Malacca without any delay, having embarked at this port on the 29th ultimo.

The Right Hon. Earl Grey.
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

Encl. 1 in No. 37.

Enclosure 1 in No. 37.

MY LORD,

Colombo, September 23, 1848.

I HAVE the honour to transmit herewith notes of the evidence, sentence of the Court, recommendation to mercy by the jury, and certain petitions, in the case of the Queen v. Penele-bodde Kuralle and others, and marked No. 2.

Also notes of the evidence, sentence of the Court, and recommendation to mercy by the jury, in the case of the Queen v. Tunamalua Uckooa Banda Karale and another, marked No. 3.

Also notes of the evidence, sentence of the Court, recommendation to mercy by the jury, and certain petitions in the case of the Queen v. Kandapulle Banda and others, and marked No. 4.

Also notes of the evidence, sentence of the Court, and recommendation to mercy by the jury, in the case of the Queen v. Wijayasoodere Mudianselay Appoohamy and others, and marked No. 5. All cases of high treason tried by me at the sessions lately holden at Kandy for the special purpose of trying persons implicated in the late rebellion.

I have to report to your Excellency that the several convictions in the said cases, respectively, were obtained in due course of law. I have also to state that I recommend as fit and proper objects for your Excellency's clemency, as far as regards the punishment of death, not only all the persons recommended by the jury for the reasons given by them, but also all the prisoners who have been found guilty.

The most culpable of these appear to me to be Penelebodde Keerale, Warapittia Ettapolla Banda, Kandapulle Banda, Wannanayeke Mudianselagey Punchiralle, Wijayasoodere Mudianselay Appoohamy, and Kolambulamulle Mohattelay Appoohamy; and under different circumstances, I should have recommended your Excellency to have executed such three or four of those last mentioned as should, after minute investigation into their respective cases by the law officers of the Crown, have appeared to have been most guilty. To have carried out the last penalty of the law against these would have been necessary for the vindication of justice, order, and good government, and for an example to others. But I find that that example has been already made. I learn that some 20 persons have been already shot for their share in this rebellion by the courts martial; I therefore think, when it is considered that no one European has been put to death—that one soldier only has been wounded by the rebels, that no persons have appeared in warlike array against the troops since the outbreaks at Matelle and Kurnegalle, that the blood which has been already spilt is sufficient for all purposes, whether of vindication of the law or for example.

I advise that the prisoners last above-mentioned be transported for life, that the others not recommended to mercy by the jury be transported for 14 years, and that those who have been recommended be imprisoned and kept to hard labour for such short periods as after consideration with the Crown lawyers may be deemed due to them respectively.

I have, &c.

(Signed) A. OLIPHANT, C. J.

Enclosure 2 in No. 37.

Encl. 2 in No. 37.

In the Supreme Court of the Island of Ceylon (Criminal Jurisdiction).

Midland Circuit, } The QUEEN v. PENELEBODDE KEERALE and others for High
Kandy, 1848. } Treason.

KANDY, the Eighteenth day of September, One thousand Eight hundred and Forty-eight. On this libel of accusation the sentence of the Court pronounced and published this day is, that Penelebodde Keerale, Warrapittia Ettapolla Banda, Uddagama Kiri Banda Aratchille, Dombewellegedere Banderalle, Baddelgedere Appoowa, Owelle Punchirale, and Angunawelle Banda, be taken from hence to the common gaol of Kandy, and from thence to the usual place of execution within the district of Kandy, or such other place within the Kandyan province, as his Excellency the Governor may appoint, and that there on Tuesday, the twenty-fourth day of October next, between the hours of nine and three of the same day, they be hanged by the neck until they be dead.

(Signed) CHARLES BELING, Registrar.

The Queen
versus

1. Penelebodde Keerale.
2. Warapittia Ettapolla Banda.
3. Uddagama Kiri Banda Aratchille.
4. Ammoonegamma Abeykoon Wallawe Gabade Nilleme.
5. Neerapolle Ukkoo Banda.
6. Rambokwelle Siam Banda.
7. Dombewellegedere Banderalle.
8. Badelgedere Appoowa.
9. Waderaleygedera Kahra.
10. Owelle Punchirale.
11. Angunawelle Banda.
12. Dombe Rolle Lekum.

For High Treason:—All plead not guilty. Uckoon Banda; lives at Rulangamona. A month and 12 days ago I heard that rebels were coming, and that they had a king with them. I had an order, and therefore went to the Fort at Matelle. I hold office as Aratchyla, and I received an order from Mr. Waring, Maha Nilleme, and the superintendent of police, to be in attendance at Matelle, and to watch there. I went to Matelle; rebels came; it was on a Friday in July, about 28th. I saw rebels first at the Fort. Palapatwelle is about four miles from Matelle. Did not see the rebels before they entered the town; there were about 4000

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or 5000 people; they were beating tom-toms and blowing trumpets; they had guns and swords; the crowd said a king was among the rebels; the crowd said they were coming to make a rebellion. I saw the crowd go in the direction of Wariapolo. I know Panagamma Pansella. I saw sixth prisoner in Matelle, he was with the rebels; I did not see him do anything standing with them in Matelle; he had nothing in his hand. Sixth prisoner remained in Matelle, and did not go with the rebels. I, sixth prisoner, and several others remained to take care of our respective houses. I was at Matelle before the rebels came, sixth prisoner was also at Matelle before the rebels came, he is of the same village with me. Ramhowkwelle is sixth prisoner's village, it is about 14 miles from Matelle, it is in Doombera. Sixth prisoner went to Matelle with me, he accompanied me from my village, he resides there; he is not married to any of my relations. The commandant examined me at Matelle; I have never been examined by anybody touching the entry of the rebels into Matelle. I never told any one that I had seen the king go into Matelle with the rebels. Sixth prisoner has been living for the last six months near the secretary's house in Matelle; I mean the sixth prisoner remained to take care of his house in Matelle. I remained to take care of my house, which is a mile from Matelle. Sixth prisoner did not do anything to my knowledge in co-operation with the rebels.

Ramhowkwelle is sixth prisoner's native village, not his residence. Pusumba lives at Makilionna, distant from Palapatwella five miles. I was taken there by some persons, it is about two months ago, it was on a Friday morning, an Aratchy and a messenger of the village Dungeria. I saw a multitude of people at Palapatwella, they were armed with guns, swords, bells, and axes; 800 and upwards. I saw a palanquin there, I concluded there was somebody in it; the people were saying the king was going to Kandy to make war, and it was for that purpose they were assembled there; the crowd said there was some English people there, and then the people went forward, this was about eight in the morning; the English gentleman went back immediately, the people pursued him, but I did not see him. Then we began to march towards Matelle with drums, tom-toms, and trumpets; I was in the advance with about 400 or 500 people. We left Palapatwella at about 12 o'clock; we came past the town of Matelle, and stopped at the bridge; then I heard a great noise in the town of Matelle like the noise of breaking doors. I remained that night at the foot of the jack tree, near the Wariapola estate; I was stationed there as a watch by three Aratchyles, who remained there also with swords; Penelabodde Wariapola and Kotagedera were the men; the king I understood to remain at the Wariapola Bungalow. The chiefs of that multitude said they were going to enter Kandy to make war; the guns were to fire; the chiefs said they had orders from the king to fire. On Saturday troops came from the Kandy direction. The three Aratchies and the 12 low countrymen ran away; about 18 of us came forward and surrendered ourselves to the troops. I saw the three first prisoners coming with the rebels to Palapatwella; second prisoner was coming with others on each side of the king's palanquin; third was armed with a sword; all who were of chiefs' families were armed with a sword, and he accompanied the palanquin. I saw the eleventh prisoner with a sword or a dagger marching from Palapatwella. I also saw him at Wariapola at the jack tree. The eighth prisoner is one of the men who was stationed at the jack tree with me. Seventh and ninth were at Palapatwella, going with the rebels; the first was one of those who placed me at the jack tree; he went to the estate where the king was, desiring us to remain as a guard. I have been brought from the gaol this morning; have been there for two months. I cannot name a single person who said they were going to war to Kandy. I was taken by force at night when I was at home, as many others were. I was told that if I did not go they would put me to death, and hand me over to Rodiahs, and that all I possessed would be taken from me. I understood from many people in the crowd that they were treated in the same way. The late Aratchy of Ordagame threatened me. Aratchies said to the people on guard, that if they do not keep good watch they would be hung. The eighth was on guard with me then. Wariapola Aratchy said that, and first prisoner was present with Wariapola Aratchy when he said so; the first prisoner and the other Aratchies I have mentioned were not on guard with us, but they visited our guard; but one or other of these Aratchies was always with us as our commander. I do not know whether eighth prisoner joined the rebels voluntarily, or was taken. For 34 years no English gentleman has been to our division on duty; the Gang Aratchy, who receives orders from the Ratamehatmeya through the Korale, reads to us the Government orders. I do not know what an ordinance is, nor a proclamation; the Gang Aratchy collects the people in an open place, and reads and explains. Eighth had a gun, which he said he had got from the king, that it was given to him as he was arrested; cannot say whether seventh and ninth were armed.

R. E.

Madawelle Ookoralle.—Lives at Madawella. I was taken to Palapatwella about two months ago, on a Thursday; the first thing I heard was the beating of tom-toms and a great noise, so I kept a little way from my house; two hours before sunset, Leenadora, two other Aratchies, and first prisoner, came to my house, and seven or eight people with him, and they said, that three days before I had been ordered to go to Palapatwella, and that now I must go. I tried to excuse myself, but Leenadora caught me by the hair and said I must go. Then I was desired to take a weapon; I had none. I accompanied them, and carried five clubs as desired; we went to Palapatwella, it was dark; a great mob and the king was in the field, and two others stood on the watch apart between 3000 and 4000 people. Some had guns and swords, bills and axes, and sticks; there were two palanquins in one of them, it was said, there was a king, and a Malabar was near making some inquiry. The people all said it was the king. Petty headmen were moving about saying, that nobody should move, or else they would lose their lives and be given to the Rodiahs. I speak of

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Aratchies and such persons, as I understood were appointed Lakams by the king. The people said, they were going to take Matelle; they went there next day about 12. The palanquins were taken also, and I went: I was in the rear. I heard a great noise like guns firing as I was standing near Matelle, and like striking on doors. Half-an-hour after I saw people that had been in advance returning with bundles of property, and going to their villages, and I was informed that the king and gone to Parnogame Pansila: about five hours after beating of the tom-toms ceased; some headmen came and said, you need not remain here longer as the king is to proceed to Wariapolla. I went to Wariapolla, and thus passed Matelle; it was all destroyed, and all the papers and glasses scattered about and destroyed. They then proceeded in a line like black ants to Wariapolla. I followed. I was desired to wait at a jack tree by an Aratchy as a guard; also 150 or 200 more; they had arms; we stopped there that night; the king went to Wariapolla Bungulow, the chiefs told us so early next morning; two low-country men told us that the Government Agent, Superintendent of Police, and others, were coming from Kandy; the Aratchies ran away. Government Agent came up; some of our people there consulted, saying, it is of no use our running away, we cannot escape, let us surrender; about 18 did this to the Government Agent's interpreter and others; there were English troops. I heard say, by the Aratchies, we were to go to Kandy to take it, as some injustice had been done. At Palatpatwella I saw second and third and tenth only; at Matelle none; at Wariapola eight; surrendered himself at Wariapola also. I saw 1st prisoner; the most active was Leenadora; 1st prisoner said, we must do according to our orders; 1st prisoner brought some rice, which he gave to the chiefs, and some in a basket was taken to the palanquin, but I do not know to whom he gave it. Many people were taken away from our village by threats. I was quite frightened and terrified; when my female relations interfered; they threatened to beat them. I was in fear of losing my life, property, and disgracing my family. All the Europeans had run away, and there was nobody to whom we could have surrendered except the troops; there were 3000 or 4000 common people, and about 100 or 150 chiefs, including those appointed by the king; also there were about 100 including the Moormen and low-country men appointed by the king. About 50 Government headmen. The headmen surrounded the party, and would have known them and got them again in their villages. People walked with drawn swords and prevented people from escaping. Some people from Madawella tried to escape, but they were brought in custody into Matelle; and towards morning they escaped, after the report reached that the troops were coming. None of the prisoners attempted to escape that I know of. I know that the 8th prisoner was forced to join the rebels; I saw him seized in a boutique and taken by the mob. An Aratchy and low-country man did so. A gun was given to him by some Aratchy, which he had when he surrendered; the people whom I saw with plunder, about 30 or 40, were common people. I was a sentinel at the jack tree. Our orders were to keep light, and watch there during the night, and see if the enemy should come and seize the king, and, if so, to give information directly. I am a prisoner now. I am no relation to the 8th prisoner, nor knew him even the night before; 2nd and 3rd had swords in their hands; did not see them use them.

R. E.

Jury.

Mackelliawelle Pusumba examined.—I was taken to see the king to Palatpatwella; there were a great many people; they had swords and guns. I saw a palanquin, and understood there was a king there. I heard they were going to Kandy to make war. The king and people went towards Matelle; I followed behind; we passed the town, and came to the jack tree. I saw 1st, 2nd, and 3rd at Palatpatwella, also 6th, 7th, 8th, 9th, 10th, and 11th.

During the night two Aratchies and the messenger of our village came to the jack tree; nobody objected to my lagging behind; there were other people besides me who lagged behind. I am a prisoner now. I am about 70. We were not allowed to walk leisurely as we liked. Our petty headmen came to us and told us not to drop behind but to go on. They would not have allowed us to sit down; they prevented some from doing so. I saw no person struck for not going on. I saw no person shot for not going on.

Barouchy Appoo.—Keeps a boutique in Matelle. On 28th July rebels entered Matelle; about 3000 people armed with swords and guns came up to the Bazaar and broke the houses which belonged to the Agent, Deputy Fiscal, and Rest-house, and took the property which was in them, which they tied into bundles and carried away. About 1000 and upwards took away property then away with it, leaving the rest in Matelle. Nobody tried to prevent them from going away; part of the crowd went to Hulangamona about 3 or 4 o'clock. I saw a crowd going towards Wariapolla. I did not see them return. The Bazaar was also plundered. There were two palanquins, they proceeded towards Wariapola. I saw a Singhalese man in one of them. The crowd called out, saying, he was the king. There was beating of tom-toms. I saw the 8th prisoner there, and the 10th. The 8th was going along with the crowd. I did not see him do anything. I saw him (8th) with the crowd near the Rest-house, before the crowd went to Wariapola. I don't mean to say I saw the 8th standing near the Rest-house. I saw him coming with the rest of the rebels to the Rest-house, and then going with them to the Government Agent's. I did not see the 8th prisoner take anything; the others that accompanied him took things. I saw 8th go into the Rest-house, and saw him inside. I did not see 8th after he left the Rest-house. I do not know where he went to. I mean to say, that all the crowd together, with the 8th prisoner, went in the direction of the agent's house, which was broken after the crowd went towards it. I saw 10th prisoner rush into the house of the Deputy Fiscal, and, on that occasion, the crowd broke the house of the Deputy Fiscal; broke the windows and doors, and entered the house. The 10th prisoner armed with a sword, asked, where is the Deputy Fiscal? Next day crowd entered Matelle about seven

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Court.

or eight in the morning, this was after the troops came. The Singhaliese first came into Matelle, then the troops. The crowd passed through, saying, they were going to Wariapola, but they did not go there, they came back running to Matelle, so fast that one was in contact with the other; the crowd cried the troops had come to Wariapolla, and were firing, and therefore they were running away. I heard the firing before I saw the people. I know of no persons forcing the crowd to enter Matelle, or to remain there. I saw nothing to prevent any of the crowd going away. I come from my lodging. I have not been in gaol lately, but I have been flogged lately. I am a Government servant, not Gabriel's. I was not flogged for plundering. I know Don Gabriel and his brother; the boutique that I live in belongs to neither. I saw the breaking of the windows and doors of the Government Agent's house from the road. I saw no arm of any kind in the 8th prisoner's hands. The crowd consisted of Tamils, Moormen, and Singhaliese. The Singhaliese were all Kandians. I thought the man in the palanquin was a Singhaliese. I was in my boutique when the rebels came to the Fort. My boutique is about 15 fathoms from the Rest-house. I did not go to the Rest-house. I looked from the road opposite to the door of my boutique. I actually saw the 8th enter the Rest-house. I have known the 8th prisoner about 12 years, he lives in a village about two miles from Matelle. I am well acquainted with him. I was acquainted with the 10th prisoner. He lives in a village about four miles from the Fort. I had not seen either the 8th or the 10th in the town before the crowd came. I saw them come with the rebels. I am sure of this. Two branches of plantains and a quantity of oranges were plundered out of my boutique.

Dennis Appoo examined.—I am a fiscal's peon at Matelle. I was there when the king and rebels were there. They broke the house of the Judge, as I understood, and then I saw them break the court-house. I heard the noise of the judge's house being broken. I saw property being carried backwards and forwards by the rebels. I saw 2nd, 6th, 7th, and 10th prisoners there. I don't know the 9th. I saw 2nd near the court-house, with the mob standing near the person said to be the king, with a gun. 6th was standing near the person said to be the king, and then going in the direction of Hulangamona. I saw no arms in his hands. 7th had an axe in his hands; he was coming from the direction of the Judge's house, with a bundle, and going towards the gaol, accompanied by others. 10th was going towards the court-house, carrying a bundle and a gun. The prisoners were liberated from the gaol. One of the prisoners came to me when he was liberated; that is only how I know. 7th prisoner I saw go with several others in the direction of the gaol. I heard him say we must break the gaol doors to take the prisoners out. I heard the sound of the doors being broken. The next day I saw that the doors had been broken. After I heard the sound of breaking, the liberated prisoners came to me. There was nothing that I could see or hear to prevent any of the rebels from going away. I am a low-country man, so is the last witness. There were about 20 low-country people in the crowd; some of these took a prominent part; they plundered. I saw 6th prisoner doing nothing but standing near the king; then I saw him going towards his house. When I was going from the gaol to the house of the Judge, I was laid hold of by the people; they broke my belt, and took clothes; that is, my jacket and belt and plate. I was in fear of my life from the violence of the crowd, and as they were armed.

Jury.—I am acquainted with the 8th prisoner; I did not see him in the town before the mob came, nor the 6th.

Johannes Jacobus de Bruyn examined.—I am secretary of the police court of Matelle. On the day the rebels came to Matelle, a person came to me with a message, saying that I was ordered by the king to come to him. Ramboukwelle Banda was the messenger, 6th prisoner; he had no weapon. I said I was tired, having come from the jungle, where I and my family had hid. He said, "The order is, will you come to the king, or else he will come to you, and do something serious." I went, accompanied by 6th prisoner, to the king at Parnagama Pansila, in Matelle. I was in my house in Matelle. I found a great many people with arms, clubs, and guns. The king was sitting on a white mat on the ground. About 15 or 20 yards from the king, 6th prisoner told me to stop. He went to the Pansila. He returned in five minutes, saying, "You can now come." I went with 6th prisoner. The king asked me, "Who are you?" I said, "Secretary of the Court." He said, "It was good that you came, otherwise I should have done something else." He said, "Where is your religious book?" I said, "It is not here; I have sent it to Kandy." He said, "That is a lie." He then said, "I don't like your dress; you must take it off. I will make you a modliar." He then asked me if I had any Government land. I said I had. He said he would give me a saunas for it. He then asked me if I had any powder and shot. I said I had none. He said, "You must give." I said, "I will see about it." I was much frightened, and went away. 6th prisoner went back with me. I went to my house, and he went towards his house. 6th prisoner, during the conversation, was standing outside the Pansila. I had a shooting coat on. 6th prisoner lives about 100 yards from my house. 6th prisoner has always been a quiet, inoffensive man. My house was not broken, but my garden was robbed.

Court.—About 12 on Friday, we heard the mob advancing on the town, and I and my family and other three families went to the jungle. After we heard the breaking in the town, we ran into the jungle. We returned about half-past four or five in the afternoon. We had heard the mob went to Wariapolla about half an hour after I had returned. The 6th prisoner came to me about eight in the morning. I had heard, when in the Rest-house with Mr. Waring, that the mob were about six miles off, and were coming on the Friday morning. 6th prisoner, about the time when the mob entered Matelle, brought Mrs. Garnier and a child, stating that there was a mob coming. Mr. Garnier came running to me, and immediately after 6th prisoner came,

leading Mrs. Garnier and the children; then Mr. and Mrs. Williamson joined us, and we all went to the jungle together. I saw 6th prisoner next morning. The 6th prisoner did not go to the jungle with us. I heard the firing next morning. 6th prisoner brought some rice to our house after the firing.

Don Matthys Perera examined.—Lives at Marapan, in Matelle, about five miles from the fort of Matelle, on the Kandy side. I am a Fiscal's Peon; was formerly a Ratamehatmeya's Peon. I was at home when the people returned from Matelle after taking it. I saw 5th prisoner near the stile of my house. I heard him saying to a Moorman, "Take people and set a watch near the nuga-tree at Mare Ronne, close by the old high road to Kandy." The prisoner said, "If you do not, you will be hung in the nuga-tree." This Moorman gave his evidence. I know he is a Mohanderain. There was only one man with the 5th prisoner. The 5th prisoner also said that the Matelle Fort was taken, and "if you refuse you will be hung on the nuga-tree." I heard 5th prisoner say that some English people would come that way, and therefore a guard was to be set. 5th prisoner lives less than a mile from me. He was on his way towards his house. He had been at Matelle. I saw others coming from Matelle, carrying property. I went nowhere that day. The Moorman is an inhabitant of my village; lives less than half a mile from me. There was a low-country man with me; he is not here. I was not asked, when I gave my deposition, who was present. The Moorman gave his deposition. Tetvottamy is the name of the low-country man; he is a Galle man; he belongs to a coffee estate there. This happened about one hour before sunset. 5th prisoner had no arms, at least I did not see.

Ukoo Banda, examined.—About two months ago I was taken to Dambool, on a Tuesday; saw great multitudes of people there, who proceeded thence to Palapatwella, and stopped there; I was going with them. They said they were going to Matelle to war, and that they had a king; and I saw the king, who went in a palanquin. I saw this crowd go into Matelle. I saw with the crowd 1st prisoner. 8th prisoner joined the mob near the fort. 12th prisoner was seized, and brought in custody to Matelle by the mob. 6th prisoner I saw at the fort. I saw 5th prisoner nowhere on the road between Dambool and Matelle, until we came to Matelle, and then I saw him with the king. He did nothing, except he went and knelt before the king after that. The king had asked whether he was willing to be appointed adigar. He said he could do the duties of an adigar. Then the king appointed him, and told him to go to Balcadna, and set a guard there. 5th said I will go with the people, and he started with them. I don't know how many. I went to Dambool of my own accord; there I was seized by Kaporale and Okiray Banda. I was produced before the king. The people destroyed the Rest-house, although repeatedly ordered not to do so. The king ordered them not to do so. The conversation I have related from the 5th prisoner from the king took place under a mango-tree. The cloth was raised, and the 5th prisoner prostrated himself. I was within two yards of the palanquin. I received no appointment from the king. I was a prisoner all this time, under custody of Kaporale, Codogamo, Puncheralle, Vedahn, and others. I was the only person in custody of them. Kaporale had a sword. I was not bound, but kept through fear. I could get away from the place, but I did not do so, as the king said, I know the man, if he go away he will be seized, and the whole of his family given to Rodiahs; the whole of his property confiscated; I therefore remained all the time near the king. I am not a man of influence, but a female relation of ours is married to a low country modliar, therefore somebody told the king I went there as a spy.

Edward Baker, examined.—In July last I was in charge of Wariapolla store; on the 28th of that month I was made a prisoner by the Singalese, about three in the afternoon. They were armed; they tied my arms and legs, and threw me down, and plundered me of everything I had. This was on the road above Ballecadna; about 120 people. They tied me up in Wariapolla store. About 1200 men, all armed, were there; had guns and swords, and spears. There was one in the centre, lying in a palanquin. I think he was a king; he appeared to be the king. One of the men who took me said he would take me to the rajah. Towards morning I heard the king give some directions about some estates; the names of two were mentioned; that I remember; and people started for them; I think to plunder them. 7th prisoner was armed with a gun; he helped to tie me up. 8th prisoner was there also at the store. I was wounded with a spear in my back. I remained tied up all night, till the troops came in the morning. I was very much bruised. I have been in the island about three years; never saw 7th or 8th prisoner before that day. I am certain they are the men. The estates mentioned were Conduwatte and Hunasgerir.

Captain Lillie, Ceylon Rifle Regiment.—Went on the 28th with military party to Matelle; fell in with the rebels about one mile on the Kandy side of Matelle. I made prisoners of about 43. Just as they were made prisoner, some firing commenced from the Kandians in the rear in the jungle, and a man of the 15th was wounded. The prisoners were all armed, principally guns, and some swords. All the guns I examined were loaded. 8th prisoner was taken at Wariapolla; he appeared to me to command the party; he had a gun in his hand. 11th prisoner was taken on the other side of the road, after we came to Wariapolla. I saw some people in the jungle, about 100 yards from the road. I ordered the Rifles to be taken in there, and 11th was one of the prisoners taken then. I saw him secured. We found Baker tied up in Wariapolla; there was a palanquin there. They did not throw down their arms. We were close up to them, within 10 or 12 yards, when I ordered a Malay to tell them that, if they ran away, I should order the troops to fire on them. They did not fire. Then some of them held their guns up, and said something.

Mr. Jayetike Modliar, examined.—I am interpreter of District Court. Knows 5th prisoner, Ooko Banda. I was present, and interpreted his statement before the justice;

Jury.

Court.

CEYLON.

cautioned, as usual, written and signed by him, the justice, and myself. I was also present at the statement of 6th prisoner (duly taken). (See the statement of prisoners at the end, A and B.)

Peter John Jansen, examined.—I acted as interpreter to Mr. Colepepper, and was present at statement made by 8th prisoner. (See the end, C.)

Don Domingo Wigesenige.—Acted as interpreter to Mr. Hamra, when he was taking depositions; interpreted for 10th prisoner's statement (duly made). (See the end, D.)

(A.)

In the District of Kandy.

The Queen *versus* Neerepolle Ukkoo Banda, otherwise Neerepolle Ratte Adikaram, charged with High Treason.

On the 22nd day of August, 1848, at Kandy, appeared before me, John James Staples, Esq., a justice of the peace for the district aforesaid, Neerapolla Ukkoo Banda, of Neerapolle, in the district of Kandy, who, being asked of what he will say in answer to the charge of treason made against him, and cautioned that he is not obliged to make any statement that may criminate himself, and that what he shall say may be used in evidence against him, states:—

On the 28th of last month, as I was at my cheno, towards Doombere, about five miles from Matelle, Borvette Dewettegedere Aratchille Appoo and Arembe Dillourderalle's son came to me, and gave me a letter from Nugepittia Koralle, directing me to collect the people under me, and to go to Kanangomowe. I have given the letter to the Queen's advocate. I was directed to report those who were absent from the village as having joined the rebels. I collected only three men, and, on my way to Kanangomowe, I happened to meet the rebels near Wariapolle. I saw also the king's palanquin, and a number of petty headmen. I have reported all this to the Government Agent. I deny having been in Matelle, Friday night, nor did I order persons to be armed. Wariapolle Aratchille told me on Friday evening that the king had appointed me Ratti Adikaram, and directed me to go with a party and take the Hunasgeria coffee estate. I said I would endeavour to do so, merely to get away. On the next morning I heard the report of guns, and was told that the rebels had run away. I then went to see the Dewe Nilleure, and remained with him at Matelle for several days, when he was removed to Kandy, and I followed him. I saw Baba Appoo, who has given evidence against me at Elweb, carrying a bundle, and I have mentioned this in my report. Marookomre Aratchille is the brother of Makewetepolle Meanse, who I have accused. I saw him on Monday or Tuesday at the Dewe Nilleure's house.

(Signed in Singalese characters.)

The foregoing statement, made by the said Neerepolle Ukkoo Banda, who was then in his sound and sober senses, having been taken down in writing, was read over and interpreted to, and subscribed by him, in the presence of us.

(Signed) J. J. STAPLES,
Justice of the Peace, Kandy.

(Signed) Interpreter,
D. C. JAYETILLEKE.

(B.)

In the District of Kandy.

The Queen *versus* Rambookwelle Siam Banda Allowiharra Pahallanwe Lokoo Banda, charged with High Treason.

On the 21st day of August, 1848, at Kandy, appeared before me, John James Staples, a justice of the peace for the district aforesaid, Rambookwelle Siam Banda, of Oolangomowe, in the district of Kandy, who, being asked of what he will say in answer to the charge of treason made against him, and cautioned that he is not obliged to make any statement that may criminate himself, and that what he shall say may be used in evidence against him, states:—

“On Friday, the 28th July last, when the king was at the Panegamme Pansela, both myself and Gampasiapatto Koralle went and appeared before him, and knelt down. The king had a weapon like a krease in his hand, and he said, holding the weapon towards us, ‘I believe you intended to injure me; if you have such an intention, you had better take this weapon from my hand and stab me, and rip open my breast, and take my breast and eat it.’ The king added, ‘It is very well that you have come, but I have power to punish those who did not come.’ He then asked if we lived near the Secretary's house. I answered ‘Yes;’ and he desired me to go and bring the Secretary, and to tell him if he did not come, that he (the king) would have to go for him. On this I went to the Secretary and delivered the message, and the Secretary said, ‘I am willing to go, I wish to see the king.’ The king told the Secretary he must change his dress, and dress like a low country Modliar, and that on his doing so he would confer the title upon him, and give him a grant for lands. The Secretary said he should be

very happy, and went away. I soon after followed, and as I was going I saw Gampasiapattoo Koralle at the style of the Pansela.

CEYLON.

"I can state much more, but I do not wish to say anything further."

(Signed in Singhalese character.)

The foregoing statement, made by the said Rambookwelle Siam Banda, who was then in his sound and sober senses, having been taken down in writing, was read over and interpreted to, and subscribed by him, in the presence of us.

(Signed) J. J. STAPLES, Justice of the Peace, Kandy.
D. C. JAYETILLEKE, Interpreter.

(C.)

Kandy, in the District of Kandy.

The Queen *versus* Badelgedere Appoowa, of Hulangomna, in Matelle, charged with Treason.

On the 19th day of August, 1848, at Kandy, appeared before me, John Spencer Colepeper, Esq., a justice of the peace for the district aforesaid, B. Appoowa, of Hulangomna in Matelle, in the district of Matelle, who, being asked of what he will say in answer to the charge of treason made against him, and cautioned that he is not obliged to make any statement that may criminate himself, and that what he shall say may be used in evidence against him, states:—

"Leauadora Arratche told me to come and join the rebels, and gave me a gun, and brought me to Matelle; the mob went to the police magistrate's house, and broke the doors and the windows. I was taken up at Warriapolla, near the Jack-tree. I was at the Jack-tree taking care of the place, and at this place I was taken into custody."

(Signed with a mark.)

The foregoing statement, made by the said B. Appoowa, who was then in his sound and sober senses, having been taken down in writing, was read over and interpreted to, and subscribed by him, in the presence of us.

(Signed) JOHN S. COLEPEPER, Justice of the Peace.
P. JNO. JANSEN, Interpreter.

(D.)

EXTRACT from the Informations taken before S. Harmer, Esq., Justice of the Peace.

The Queen *versus* Tallagahagedere Punchiralle, charged with High Treason.

"August 16, 1848.—The prisoner voluntarily states, 'I came with the rebels by direction of the Gabede Nilleme. I did not plunder. I want no witnesses.'"

Aug. 16, 1848.

(Signed with a cross.)

DON D. WIGESNIHE, Interpreter.

In the Supreme Court of the Island of Ceylon (Criminal Jurisdiction.)

Midland Circuit, } No. 3.—The Queen *versus* Innamalna Ukkoo Banda Koralle, for High
Kandy, 1848. } Treason.

Kandy, the 18th day of September, 1848. On this libel of accusation the sentence of the Court pronounced and published this day, is, that Innamalna Ukkoo Banda Koralle be taken from hence to the common gaol of Kandy, or such other place within the Kandyan province as his Excellency the Governor may appoint, and that there, on Tuesday, the 24th day of October next, between the hours of nine and three of the same day, he be hanged by the neck until he be dead.

(Signed) CHARLES BELING, Registrar.

Kandy, September 12, 1848.

The Queen

versus

1. Innamalna Ukkoo Bandy Koralle.
2. Oudangava Punchiralle Aratchy.

High Treason.

Plea—Not Guilty.

Punchy Appoo Aratchy.—Lives at Allouvihare, being six miles from Dambool; knows 2nd prisoner; 1st is the Koralle of Innamalna; 2nd is the Aratchy of Oudengalle Innamalna: is six miles from Dambool; remembers seeing the king at Dambool: I went there on the morning of Thursday. My village is the same as the 1st prisoner's; I went to his house on a visit on Wednesday evening; I learnt that the Koralle had gone to Dambool, so I went there next morning; the sun had been up more than one or two Singhalese hours when I got there.

CEYLON.

No trees were cut
that night.

There I saw a great multitude of people, and a person said to be the king down at the rock. The people then said they were going to Matelle to make a Singalese rebellion; the people had plenty of guns, swords, and there was a great number of people standing round the king. The whole crowd was great, as many as there are in this Court; I have no idea how many there are in this Court (about 150). I saw 1st prisoner there, he told me he had come there by order of the king. He also said that the king directed him to go to Matelle with armed people, and when the king said so to him, he told the king he had neither people nor guns. That the king still pressed him to go, and that if he failed he would give his family over to Rodiahs and hang him, and yet he, 1st prisoner, said to the king he could not do it, and at last the king told him that if he could not collect people to go to Matelle, he should, in that case, go to the boundary of his Korle and keep watch there, cut down the trees, block up the road, and if any troops come from Trincomalie, he was to let him, the king, know. This conversation with me took place near the king, near the rock; I saw the 1st prisoner in conversation with the king, but did not hear what was said. It was after the talk with the king that he spoke to me what I have now said. When the crowd said they were going to Matelle to make war, 1st prisoner was among the crowd and must have heard them say so. Afterwards, at that same time, Ondegamme Aratchy and Lunadura came to me, when 1st prisoner was standing with me, and said that the king had given directions (the same which I have before stated) to the 1st prisoner. The Aratchy said to me these being the directions of the king, you go and cut down trees and keep watch; I understood the trees I was to cut down were to cover the road, and the watch I was to keep was at the boundary of Megasweway; and those two Aratchys said that from this day the government is to be Singalese government: 1st prisoner was present. They also told me that if I did not do as they bid me they would fire my property and give my family to Rodiahs; 1st prisoner and I then went away. The king and crowd started before Matelle; 1st prisoner and I went to the road leading to Trincomalie to the place where we were to cut the trees; we stopped there that night, next morning (Friday) I and Dingere returned to our villages; Thursday night we slept in the road, under a tree, all night. I saw 2nd prisoner on the place where we slept, he came there on Thursday evening and remained there all night, and was there when I left in the morning; when I left no trees were cut; 1st prisoner had a gun, 2nd prisoner had nothing; I have not been accused of joining this rebellion, I come to-day from gaol; prisoner gave me no directions, it was the other Aratchys; I was in fear of my life. I was about 10 fathoms from the king; the 1st prisoner was in fear of his life. Megasweway is on the Trincomalie side of Dambool; I did not see him threatened by anybody. Megasweway is about 12 miles from Dambool.

Court.—If you tell me you will kill me and give my family to Rodiahs if I do not speak the truth, I believe you will.

Jury.—I am an Aratchy, but have received no warrant, only a verbal appointment about three or four years ago. There were about 12 people with us at Megasweway. I could have gone down the Trincomalie road if I had pleased, but the consequence would have been that I should have been ruined; a few of the 12 men had guns, that is to say, two or three.

Banderalle Aratchy.—Lives at Kibissa, 3½ miles from Innamalua. I saw trees cut at Megaswewe on a Friday. I went to the house of the Koralle, 1st prisoner, on a Thursday morning, he was not at home. I went to make a complaint, he came while I was waiting for him. I mentioned to him my complaint; 1st prisoner said, never mind about your complaint, there is a king for this country now, he was at Dambool, and is now gone to Matelle; I have received orders from the king to collect the people of my division and take them to Megaswewe, and sent them on watch on the boundary of that place; that if the people did not do so, that their houses would be set on fire, their property destroyed, and that they would be killed and impaled, therefore do attend to it and go there: so I accompanied 1st prisoner to the boundary, 2nd prisoner with others accompanied us; we met him on the road to Megaswewe; we came there about seven Singalese hours before nightfall. We went to a house near 2nd prisoner's house and spent the night there. I, 1st prisoner, two Aratchys, and several others, did so; last witness did not sleep there. In the morning 1st and 2nd prisoner and I went to Megaswewe, 1st prisoner had a gun in his hand. The 12 people belonged to the Koralle's division; they were people under him. The Koralle (1st prisoner) directed us to fell a tree, to block up the road from Kandy to Trincomalie. He told 2nd prisoner to send for two axes; he sent a man who brought an axe, and a tree was cut by two or three people. It was a very large tree; it is so high, when now on the ground, that an elephant cannot jump over the trunk of it. It was cut so as to fall across the high road. That was the only tree we cut. I heard of the rebels having entered Matelle. The 1st prisoner told me the king had gone to Matelle to make war; after that I heard the king had entered Matelle. I received the appointment of Aratchy in 1836. I joined in fear of my life, because it was said there was a Singhalese government.

Palatowawa Koralle.—Lives at Palatowawa, 12 miles from Dambool. Knows the prisoners. I went some time ago with them to Megaswewe; two prisoners were first at Megaswewe, and an Aratchy afterwards called me. I went there on Thursday evening, we remained that night in 2nd prisoner's house. We went next morning to Megaswewe. I saw a tree cut at Megaswewe: 1st prisoner ordered it to be cut; he said the king has ordered us to cut down trees to block up the roads, and set a watch to prevent the troops coming from Trincomalie. Two young men cut the tree with axes brought from Oadengalle: 1st prisoner ordered 2nd to send for two axes; he sent boys who brought two axes. Both prisoners were present when the tree was cut, it was cut to fall across the road. We saw three other trees cut at three places on the road from Kandy to Trincomalie, within the 1st prisoner's division.

People went from Megaswewe towards Matelle, I don't know why. The tree was cut after the rebels went in the direction of Matelle from Dambool.

Jury.—I was afraid of my life. The 2nd prisoner is a subordinate officer under the 1st. When I was told the trees were to be cut by order of a king, I understood a Singhalese king. The two other Aratchys told us first to cut down the trees. They were under the Koralle. The 1st prisoner (the Koralle) was the principal person there.

Mr. Charles Stewart, Justice of the Peace, examined.—2nd prisoner made a statement before me, duly cautioned and reduced to writing, signed by me, him, and interpreter.

Verdict.

1st prisoner—Guilty, recommended to mercy.

2nd prisoner—Not Guilty.

The Queen *versus* Oudangava Punchiralle Aratchy, charged with High Treason.

On the 9th day of September, 1848, at Kandy, appeared before Charles Henry Stewart, Esq., a justice of the peace for the district aforesaid, Oudangava Punchiralle, in the district of Matelle, who being asked of what he will say in answer to a charge of high treason made against, and cautioned that he is not obliged to make any statement that may criminate himself, and that what he shall say may be used in evidence against him, states:—

“I was in my village on Thursday, the day of the rebellion; the Junamalua Koralle and the Hegiria Aratchy came to our village, and called for me and the other people of the village. They said that the king and a great number of people had gone to Kandy; the Koralle said that the king had ordered him to watch at a place called Mugaswawa Rupe, and that therefore he (the Koralle) had come to collect people. Then the Koralle ordered me and others to accompany him. The Koralle added, that the Kandyan Government had commenced, and that he that should decline to go to the Rupe would be given over to the Rhodias; the Koralle said that the king had said so. We, through fear, accompanied the Koralle; we went to the Rupe on Thursday; many people went. The Koralle dispatched seven or eight men to Habrenne to see if there were any watches there. On Thursday night we remained at the Rupe with the Koralle. On Friday morning the Koralle ordered us to cut down a tree; two men from my village and another man cut down a tree, and put it across the road. On Saturday morning the Koralle directed us to remove the tree; the tree was removed. I did not go near a king. This is all I have to state. The tree was cut down to prevent troops coming from Trincomalie.

Signed in Singhalese characters.

The foregoing statement made by the said Oudangava Punchiralle Aratchy, who was then in his sound and sober senses, having been taken down in writing, was read over and interpreted to and subscribed by him in the presence of us.

(Signed)

H. C. STEWART, Justice of the Peace.

H. PERERA, Interpreter.

No. 3.

The jury, by their foreman, recommend Junamalua Ukkoo Banda Koralle to mercy, on the ground of presumed general ignorance, and of his having apparently acted under the influence of bodily fear and apprehension of losses and the degradation of his family.

In the Supreme Court of the Island of Ceylon (criminal jurisdiction).

Midland Circuit, } No. 4.—The Queen *versus* Kandepulle Banda and others, for High Kandy, 1848. } Treason.

Kandy, the 18th day of September, 1848. On this libel of accusation the sentence of the Court pronounced and published this day is, that Kandepulle Banda, Amarakar Mudianselagay Hettimulle Appoohamy Aratchy, Wannanayke Mudianselagay Punchiralle, Parragahawawa Heratmudianselagay Mudelihamy Dahaneke Mudianselagay Punchiralle, and Kandegedere Nilhamy, be taken from thence to the common gaol of Kandy, and from thence to the usual place of execution within the district of Kandy, or such other place within the Kandyan province as his Excellency the Governor may appoint; and that there, on Thursday, the 26th day of October next, between the hours of nine and three of the same day, they be hanged by the neck until they be dead.

(Signed)

CHARLES BELING, Registrar.

CEYLON.

1. Kandepulle Banda.
2. Basnaike Mudianselay Appoohamy.
3. Amarakon Mudianselagey Kettimule Appoohamy Aratchy.
4. Wannanayeke Mudianselagey Punchiralle.
5. Paragahawawa Heratmudianselagey Mudelihamy.
6. Dahaneke Mudianselay Punchiralle.
7. Onegomowa Banda Koralle.
8. Potuherre Dingere Appoo.
9. Kotmalie Ahadassie Unause.
10. Kandegedere Nilhamy.
11. Vidanelagedere Kaurale.
12. Madahapollegedere Punchiralle.
13. Henegomayalaigedere Ukkooa.

High Treason.

Plea, Not Guilty.

Thomas Lewis Gibson, District Judge at Kurnegalle.—I made a plan of the town of Kurnegalle; it is not done by measurement, but is generally correct; it shows the relative situation of the different places. I was in Kurnegalle on the 30th of July last; on the 28th we received information that a king had been proclaimed at Dambool, and therefore we applied to Kandy for troops; 28th, Friday, passed off quietly; 29th, a rumour came that the people were advancing on the town; expresses were sent to Kandy to hasten the troops. Nothing occurred on Saturday; on that night we received information that the mob were within two miles of Kurnegalle, and would come in the next morning. On Sunday morning we sent out about six or half-past to see if the troops were coming; a messenger returned with the information that they were within three or four miles. About half an hour after Mr. Sims rode in from Madeweltenne, bringing same information; between seven and eight we heard a great hooting, and immediately after a great crowd turned from the Trincomalie road, running across the path leading to the Assistant Agent's house; there might be 1200 or 1500; could not see whether they were armed. We thought it time to move; Mr. Templer and I took a short cut to the Kandy road; and Mr. Sims mounted his horse. We met the Rifles within a mile of Kurnegalle. We returned with the troops at quick time; this was about a-quarter past eight. As soon as we turned into the first approach to Kurnegalle, the advanced guard were fired upon by some men in the road, and also some men from Mr. Perera's house; they were Kandyans. The fire was returned by the troops; the troops advanced along the road; then I saw the canteen on fire; the troops were divided into two parties, close to the gaol; the officer and Mr. Templer went with one party towards the cutchery; the lieutenant and myself went with the other party across the esplanade, through a cocoa-nut tope to an open ground. Troops kept firing on the mob of Kandyans, some of whom were armed with all kinds of arms. The lieutenant then ordered the firing to cease; I saw a number of persons wounded and killed—Kandyans; one of them was an Aratchy. The lieutenant and I went towards the cutchery, and were joined by the other party. I went towards the Trincomalie road; in the path there were some firing by the troops. Then the order was given to do nothing but take prisoners; then I went to the gaol with a body of prisoners whom we had taken. I found the gaol door open; I found out afterwards it had not been locked when the mob went there; they were all gone; I cannot say how the prisoners got out of their cells, which were locked the previous day. Went to the Court-house; every piece of furniture broken, more or less; papers scattered up and down. I saw Kandyans running away, carrying bundles of clothes, cloths, &c. I lost everything; my house was entirely gutted; crockery and glass broken; all my beer and wine spilt; all the Templers' things taken in the same way. Saviel Pulle's shop was ransacked; also Mr. Perera's, and three or four others. Mr. Templer, on Friday, the 28th, received an ola from 1st prisoner, informing him that the king had been proclaimed at Dambool. I don't remember ever having seen the 2nd prisoner before. I did not see any of the prisoners, to my knowledge, on Sunday morning. 1st prisoner was lately Basnaike Nillemy, but he gave it up, but is still Koralle. I did not identify a single Kandyan. Know nothing against 1st prisoner; always entertained a very high opinion of him. I think there were about 10 or 12 shots fired by the rebels. We buried 23 rebels. There were of troops about 25 men and 2 officers.

R. E.

Jury.

Medegedere Appoohamy.—Lives 10 miles from Kurnegalle. On Sunday, remembers people entering Kurnegalle. On Saturday before, I saw a large assemblage of people in an open land, a little more than 10 miles from Kurnegalle; it was in the morning. I saw about 50 people assembled, and others were still assembling. I saw a headman there—Dictoura. They then went to another place, in the direction of Kurnegalle. I went to my house, and came back to the last-mentioned field. They had gone, as I was told, towards Kurnegalle. I went towards Kurnegalle, and saw a great multitude of people going to Kurnegalle. I went back to my house. I saw the crowd again on Sunday morning at Kurnegalle, early in the morning—about 4000 or 5000 people. I think there are about 500 people in Court (about 200). I saw 1st prisoner retiring from Kurnegalle with the crowd, at the distance of a hoo from Kurnegalle, on the Trincomalie road; 2nd prisoner also retiring on the same road with the crowd, also 6th. I saw other people whom I don't see, as I was going to Kurnegalle. I heard firing at Kurnegalle. The crowd I saw was running from Kurnegalle way. I saw nothing in the hands of the prisoners whom I have pointed out, but I saw arms in the hands of many of the crowd; some had guns, some swords. Some of the crowd said Kurnegalle had been taken; "We have left some people there, and we are going away." There were

amongst that crowd people whom I had seen in the crowd on Saturday; Deatoora was one. Deatoora had told me, on the Saturday when I saw the crowd, a rebellion has taken place, and are going to Kurnegalle, and that the inhabitants here must join the rebellion; that if they did not, their houses will be set on fire, and their families will be given to Rodiahs, and even the very sand in the air will not be spared, and therefore that I and all the people must join the rebellion. This was the common saying of all the crowd. I came from gaol this morning, and I have been there more than a month and 16 days. The prisoners I have pointed out were not present when Deatoora said what I have stated. I did not see any of those three prisoners on Saturday.

Jury.—I saw some of the crowd who were running away on Sunday were carrying clothes. They were running as fast as people would who were chased by elephants. I also went to join the rebels, as I had no other means of saving my own property. I was seized by the troops near a kong-tree. I had heard three days before that there was a rebellion at Otatte Korle, and that the rebels were coming from Matelle. My house is on the Trincomalie road.

Johannes de Silva.—Lives at Kurnegalle. Lived there since 1821. Was formerly constable. Was at Kurnegalle on 30th July. I heard a great noise on Trincomalie road, shouting. I went to see, and saw crowd on two divisions at the kong-tree. Went, one towards the cutcherry, the other towards the lines. Consisted of 4000 or 5000 people, armed with guns, clubs, and small axes. The last-mentioned division entered into a house that I let out, and broke the door with clubs, and broke all the tables and chairs in the house. They then went to Savill's shop, ransacked and carried away the goods, having tied them in bundles. Then another house was entered. I saw 1st prisoner accompanying some people who seemed to be carrying away a piece of lead; he was causing it to be carried by those people. I went near him. "I am a poor man," I said, "and encumbered with a family," and I begged him to do no injury to me. He was an old acquaintance of mine, so I addressed him. I knew he had two or three situations, and as he was one of the mob I thought he could protect me from injury. He made motions with his hands, by which I concluded he would not injure me. He did not speak. He and the people went on the Trincomalie road. Soon after this I heard the report of one or two guns in the direction of the Kandy road, and upon this the people who were there prepared to run away. Some person behind the crowd cried out, "None of you should run away, our God is approaching." Then they ceased running, and went forward 20 paces, and held up their guns, and fired them in the air (10 or 12 shots), and then the troops came up. They then begun to run away, doing and saying nothing, on the Trincomalie road. I have seen none of the prisoners, except the 1st, amongst the crowd. The people who fired the guns were in the rear; if they had levelled them, they would have shot their own people. I did not see any of the mob fire at the Malay troops; if any firing at them had taken place, I must have seen it. My only reason for saying that he caused it to be carried by those people was that he was in company with them. Two or three minutes after shots were fired in the air. Malay troops fired. The Singhalese people then had their backs to them, running away. First I heard three shots; then the shots were increasing, 1, 2, 3, as they were coming. I did not see who fired these shots. Did not see any shots from Mr. Perera's house; I could not from where I was standing. The Kandians call their king God. Devis, in up-country Singhalese, means both king and God.

R. R.

Don Cornelis examined.—I am Kangany of the Cutcherry at Kurnegalle. On Sunday night rebels came into Kurnegalle; people who came to war; they came in arms. I only saw the party that came to the lines from the Trincomalie way. They were more than 300 people. They broke Savill's shop. I saw there the 4th prisoner. I knew him before. He and some other people were in advance, going to the shop. He said to the others, "Break this shop." I saw him a little while after as I was running away through a field towards the District Court; he was going towards the gaol, accompanied by others. The Peons were there on guard at the entrance of the gaol. He said something to the Peons, I could not hear what, and then the Peons and Cangany went from their posts. The crowd had guns, swords, axes, and clubs. 4th prisoner had a sword. Four days after a man called the king was brought to Kurnegalle; 4th prisoner was also with the party who brought him in, and on that occasion he was secured, being identified by a boutique keeper. 4th prisoner lives at Wellenoe, eight English miles from Kurnegalle.

Punchiralle, Police Peon at Kurnegalle.—On Sunday, 30th July, a great multitude of people destroyed Cutcherry, Agent's house, and some other places. I saw there 1st, 6th, and 13th prisoners. 1st was in advance, and the people following; so was 6th. I said to the 1st, "Why do you come with such a crowd of people?" He said, "You go, it is no business of of yours to ask that question." Then the crowd divided into two parts. I entered the bushes behind my house. 1st and 6th had weapons in their hands, either sword or spear, like that on the table. 13th was seized when the business was nearly over. I live near the kong-tree. I had just been relieved from duty when the rebels came. I was well acquainted with the 1st prisoner before; I am also well acquainted with the 6th, and the 13th also; his village is hardly three miles from Kurnegalle.

Pitchy.—Lives two miles from Kurnegalle. On a Sunday morning the rebels entered Kurnegalle. The night before I saw many people pass towards it. On the Sunday morning people stopped opposite my house, and called on me to go with them. They said if I refused they would hang me. About 1000 went with me, besides a great many on before. They had guns, swords, and clubs. The crowd said 18 taxes were demanded, and they were going to pay them. I saw 1st prisoner. The 4th prisoner I saw on my return from Kurnegalle. I ran home alone, and I saw 4th prisoner running with the people. I saw 1st opposite to my house, going with the rebels towards Kurnegalle; he had nothing in his hand. I was arrested

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and put in gaol. I have been 23 days in gaol. I was liberated. I had given the information against 1st and 4th prisoners. In Kurnegalle, I saw people take property from a shop, and run away, and I heard the noise of breaking of doors. I heard the report of guns.

Lieut. Charles Gaspar David Annesly examined.—Am in the Ceylon Rifles. Was in command of detachment on the morning of the 30th. Met Mr. Templer, Mr. Gibson, and Mr. Sims coming from Kurnegalle. In consequence of information they gave me, I ordered my men to load, and marched into Kurnegalle. As we entered Kurnegalle we were fired on from a house on our left, and also from the road. Several shots were fired by the rebels; they were at us. I ordered my men to fire. I cleared the houses on the left of the Kandians (rebels). I then divided the party into two parts, going with one and sending Bovil with the other. The guns were presented at us, that is why I said they fired at us. They were about 60 or 70 yards from us. They also fired on us from the houses on our left, close to us. They hid themselves here and there. My men killed 23. I heard the whistle of bullets near me, over our heads. When we got to the gaol there was nobody there. I afterwards saw all the houses were gutted. The crowd was armed; we took several arms. The crowd was all in the houses, plundering, when we came up. I ordered the men to stop firing.

R. E.

Packier.—I am a peon of Government Agent at Kurnegalle; was there when rebels came on Sunday morning. Saw the mob coming. Knew some of them. Saw 4th. He was coming with the rebels; he had a sword in his hand. He was on the road half a mile out of the town when I saw him. I have lived there one year and four months. Nobody offered to molest me. They were shouting. I don't know why I have been lately appointed.

Coope Jamalon examined.—Lives at Kurnegalle; was there on the Sunday morning. I saw 4th prisoner and 10th prisoner there. Saw 4th running away to his village on the Trincomalie road, after the troops had fired; the 10th was with him, and they were accompanied by seven or eight more. I seized 10th prisoner; he had a sword in his hand. I struggled with him a long time before I succeeded in disarming him. This is the sword. I was then a police serjeant; afterwards I have been appointed chief constable at Kurnegalle. 4th and 10th prisoners ran close past me as I was standing in the road. 10th said nothing to me. 10th attempted to cut me with the sword. I had a short spear in my hand. There were other people to second me. Policemen. I took 10th prisoner into custody. I tied him and three others and sent them to gaol.

Saibo.—Lives at Kurnegalle; was there on Sunday, 30th of July, after the troops had come. I saw last witness make prisoner of 10th prisoner. He had a sword, which was taken from him by last witness. I saw them struggling. There is the sword. I rattan chairs, and am a peon of the gaol. After the rebels came I was appointed to the gaol as peon; before that I was a patrol. I have lived there the last six or seven years. Prisoner is not a Kurnegalle man.

Baba Appoo.—Peon in police magistrate's office, Kurnegall. Was there on Sunday morning, 30th. Saw the 1st and 6th prisoners with the rebels; as the rebels were going to the court-house, and at the Malay lines. They were going in advance; each of them had a sword. I heard the firing after I saw their men. I have been a police peon three years. I was at the lines when I saw them. I was about 12 fathoms from the mob when I first saw them. Then I slipped aside. I knew them well before. I used to take letters to them. I was examined in the Queen's Advocate's Office. I mentioned the 6th man there.

Court.—I have no doubt either about the 1st or 6th, they were the foremost of the mob.

Inan Peris examined.—Lives at Kurnegalle; was there on Sunday morning. I saw 3rd and 4th prisoners. I was in Saviel's shop when 3rd prisoner came with the rebels. I did not see him do anything. He had something in his hand—I don't know what. I had known him before. The crowd entered the shop and robbed it. I heard the firing after I saw prisoners. I was outside in Saviel's shop door when I saw 4th prisoner on the road; he was with the mob. I am in the service of Saviel Pullé. I am certain I saw 3rd prisoner. When the people robbed the shop I stood outside looking on.

Mootoo Samy.—Lives at Kurnegalle. I am a servant of Saviel's. Saw the rebels come on Sunday. Saw the 3rd prisoner opposite to our shop. He was coming with a knife and a large number of people. They cut the tats and entered the shop and plundered it, just about the time I heard firing. Neither 3rd prisoner nor his friends ever gave me a thrashing.

Packier Baboo.—Lives at Kurnegalle. Rebels entered on Sunday. Saw 1st, 2nd, 3rd, 4th, and 6th prisoners. 1st prisoner near our mosque; a large crowd with him. He told the crowd to break down the house of Mr. Lowendal. I ran away. Mr. Lowendal is the clerk of the District Court. The 2nd and 3rd prisoners were in front of the mob with the 1st and the 4th also in front, also 6th. I ran into the jungle with my children. Afterwards I heard firing. I am a cart-driver. Formerly I was a peon, and was dismissed. There was a case against me about a gun. I came out of the gaol on the Thursday previous to the Sunday. I was formerly in the Ceylon Rifle Regiment. I was dismissed for a crime. I have been flogged when I was in the regiment. 1st prisoner had a sword; 2nd also; 3rd also; 4th had something; don't know whether gun or long stick. 6th a sword. I had known 1st well before. I have seen 2nd prisoner in District Court, sometimes as assessor, sometimes as witness. 3rd prisoner being Korale, and often came as witness to the court. 4th is a cattle stealer, he has been proved to be so, and is often in Kurnegall before the court. I have seen 6th as witness and as assessor.

Aberau.—I am a dobie at Kurnegalle. Was there on Sunday when the rebels came. Saw 5th and 11th. Saw 5th running away along Trincomalie road after troops came. He was alone. He had a sword. Standing close to the door of my house in the road a Moorman came. I ran into the jungle. I came out, joined the Malay troops, and was following them;

a Malay soldier gave me a man in charge. It was then I saw 11th running away with a small bundle wrapped in a dirty piece of cloth. He was running Putlam way from Kurnegalle. I had not seen either before. They were strangers. I saw 5th as near as the window from me. 11th passed very close to me; and if I had not had hold of the other man I could have seized him. I killed a man, striking him with a rice pounder. He entered my house and called in the other rebels. After he had stolen all the things in my house, he opened a pillow, saying there were gold coins in it; then I struck him. He fell. He had a gun. The others ran away then. The troops had come then.

Pasman.—Lives at Kurnegalle. Was there on Tuesday morning. Saw the 5th prisoner in Trincomalie road, near my house. He was with the other people as the rebels were entering Kurnegalle. He had a sword. I am a peon. There are about 30 Malay men in Kurnegalle. The crowd had guns, clubs, and other weapons.

Boossie.—Lives at Kurnegalle. Saw the rebels on Sunday 30th. Saw 5th prisoner on the road, coming with others on Trincomalie road. They all had weapons. 5th had a sword. I am a trader.

Saban examined.—Saw rebels enter Kurnegalle on Sunday. Saw 11th on the Trincomalie road with them. Had a gun. I seized and tied him. He was running away, and the soldiers called to him to stop. He did so, and I was ordered to tie him, and I did. I rattan chairs.

Hendrick Perera examined.—I interpreted at Kandy to Deputy Queen's Advocate, acted in this case. 11th prisoner made statement in due form.

Mr. Gibson recalled.—On Friday before the Sunday Mr. Temple received an ola from 1st prisoner; in consequence of that ola our previous intention as regards sending for troops was fulfilled. That determined us. I can't say whether I did see the ola. I can't say 1st prisoner wrote or sent it. I have no knowledge on the subject, except what I heard from Mr. Temple. It is not within my knowledge that troops were sent for on the Wednesday previous. On that Wednesday I put patrols on in Kurnegalle. This was in consequence of information received by the Cutcherry Modliar.

Pachier Amat.—Private in Ceylon Rifle Regiment. Was at Kurnegalle on Sunday when the rebels came. I made one of the rebels prisoner. The 13th. He had a gun. He was running away. As we came into the town the firing commenced. Near about the boutiques. Did not see the people that fired on us. The guns were fired from the high road. I did not see shots come from the houses.

In the District of Kandy.

The Queen *versus* Nilhamy and others, charged with High Treason.

On the 19th day of August, 1848, at Kandy, appeared before me, John James Staples, Esq., a justice of the peace for the district aforesaid, Kauralle of Dietura, in the district of Kurnegalle, who being asked of what he will say to the charge of treason made against him, and cautioned that he is not obliged to make any statement that may criminate himself, and that what he shall say may be used in evidence against him, states:—

On Saturday I was called by Ototta Korle Aratchille to join the rebels, and told me to take a gun if I had one; I went with him to Daramittipollewelle, where I saw about 2000 or 3000 men arrived with guns, swords, and spears; we remained there on Saturday night, and on Sunday morning we went to Kurnegalle, and the people whom we met there said they had taken Kurnegalle; I was struck with a stick and taken prisoner. I had no gun. I have nothing more to say.

(Signed with the mark of Kauralle.)

The foregoing statement made by the said Kauralle, who was then in his sound and sober senses, having been taken down in writing, was read over and interpreted to, and subscribed by him in the presence of us.

(Signed) J. J. STAPLES,
Justice of the Peace for Kandy.
H. PERERA,
Interpreter.

In the Supreme Court of the Island of Ceylon (criminal jurisdiction).

Midland Circuit, } No. 5.—The Queen *versus* Wigayasoondere Mudianselay Appoohamy,
Kandy, 1848. } and others, for High Treason.

Kandy, the 18th day of September, 1848. On this libel of accusation, the sentence of the Court pronounced and published this day, is that Wigayasoondere Mudianselay Appoohamy, Kolambelamalle Mohattelay Appoohamy, and Bamunawelle Mudelihamy, be taken from hence to the common gaol of Kandy, and from thence to the usual place of execution within the district of Kandy, or such other place within the Kandyan province as his Excellency the Governor may appoint, and that there, on Thursday the 26th day of October next, between the hours of nine and three of the same day, they be hanged by the neck until they be dead.

(Signed) CHARLES BELING,
Registrar.

CEYLON.

In the District of Kandy.

The Queen

versus

1. Wijasondere Mudianselay Appoohamy.
2. Kolumbelamulle Mohattelagey.
3. Bamunawelle Mudelihamy.

High Treason.

Plea, Not Guilty.

T. L. Gibson.—District Judge of Kurnegalle, made a sketch, not to measurement, of the town of Kurnegalle; was there when rebels entered on Sunday, 30th July; party of troops came that day and expelled the rebels. Monday was quiet. On Tuesday Lieutenant Annesley, myself, and a small party, went out by the side of the road to Colombo, and waited in a jungle; he and a rifleman went out to the road, and they were fired at by the Kandians who were in the high road; the fire was returned, rebels ran, rifles pursued a short way, and we returned; a rebel was shot on the road. About four, same day, a party went out same road again; saw large party of rebels on high road advancing towards Kurnegalle; they fired and turned round and ran away; troops did not fire, but followed them half-a-mile; officer sent two or three men on the right of the road. We saw no more of them, and returned; it was about 1 o'clock in the day when we first went.

Lieutenant Annesley, C. R. R., examined.—Was in Kurnegalle 1st August, in command of a party; went out on Colombo road about 1 o'clock with party; we got behind a bank. I went out on the road; some of the men came out after me, and we were fired upon by the rebels. we fired a volley, they ran away; we found one man was killed of them with a gun by his side. Same day went again same road about four; met another party, they fired at us and ran away. First time they fired they were 50 yards off; their guns were levelled at us; they were at the "present;" they were about 3000 or 4000: we were 11. The rebels in front had guns, in the rear had clubs.

Mudelihamy, examined.—Is an Aratchy; lives at Dooradinea, eight miles from Kurnegalle. Knows 2nd prisoner; he is a Korale. I know that rebels were in Kurnegalle on Sunday. On Monday I received a message from 2nd prisoner by the means of Potuherre Aratchy, and in consequence I went to 2nd prisoner on the Monday. I met him at Potuherre, near a certain tree; he said that rebels had come to Kurnegalle yesterday from Upper Dalospadloo, had broke Cutcherry and gone away, and that he and some others had also been requested to join the rebellion, and requested me to be ready with other men to go to Kurnegalle the following day. I then told him on my way to you, I have heard Pollagalla Ratamehatmeya had taken a party of soldiers from Kandy to Kurnegalle, that it is in vain for Kandyans to rebel against the Government, that they never will be successful, and therefore it is useless for me to sacrifice my life; so I refused and returned to my village. I did not go on Tuesday. My father died two years ago, February or March. 2nd prisoner is headman of our village. He taxed the property which my father left to me. I am the only Aratchy in the division. Nobody was present at our conversation. 2nd prisoner told me he was sick; he had a handkerchief tied round his head. I did not go to his house; the tree was two-and-a-half or three miles from his house.

Appoohamy, examined.—Lives at Mandawilla, six miles from Kurnegalle. Knows the rebels entered Kurnegalle on Sunday; heard so on the next day. Went to Potuherre. Korle Aratchy came on that morning with a message from 2nd prisoner to me that he wanted me at Potuherre on the Colombo road. I went there in the morning, met 2nd prisoner there. I asked him what he wanted, he said that the people of Matelle and Upper Dolospattoo assembled together, and entered Kurnegalle on Sunday, that they were unable then to take the town; we have been requested to go to Kurnegalle as on this day to make war; you and all others must come likewise with guns and swords; there were a great number of men present at this conversation, they had guns and swords. I saw many people also going along the road towards Kurnegalle; I left the Korale there. I did not return. I have gambled. 2nd prisoner did not speak to me nor try to apprehend me. I think about five or six days after the conversation I came and made the statement voluntarily.

Kaurale.—Lives at Palagamnu, five miles and a half from Kurnegalle. On the Tuesday following Sunday, when the rebels entered Kurnegalle, I went to Potuherre; a message came to me that 2nd prisoner wanted me. I went, and found 500 or 600 people; they had guns and swords, and clubs. 2nd prisoner was waiting there. He asked me why I came without either gun or sword to go to Kurnegalle to raise the insurrection; I said I had none. I took a fence stick, and went with them as far as Wanduragalla, four miles and a half from Kurnegalle; the 2nd prisoner was busy sending away the people. I did not notice 2nd prisoner coming with us at Wanduragalla. We found a great multitude assembled. 1st prisoner came to Potuherre, and said that it was wrong for the people to take so long a time to start; upon that, all the people went on with him to Wanduragalla, and there we found another great multitude. The two parties joined there, and those armed marched off in front; those with clubs followed. I only went as far as a well, and several people who were in the rear fell out there; and at that time we heard reports of guns in the direction of Kurnegalle, and the people who had gone in front with guns came running back, saying two of our men have been shot; then we ran away to our villages. 1st prisoner had a sword. He came foremost, followed by four or five others, who had also something in their hands. I know 1st witness, Mudelihamy. I did not see him that day anywhere. I did not see

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Appoohamy there that day. It was a little late when I got to the tree; plenty of people were still coming. 1st prisoner went on towards Kurnegalle, when we fell behind.

Punchiralle, examined.—Lives about six miles and a half from Kurnegalle. On Tuesday, after the rebels entered Kurnegalle, I went to Potuherre, about five hours after daybreak. I accompanied the notary, with 50 other people. 1st and 2nd prisoners were there, and 200 or 300 people with guns, swords, and sticks. 2nd said that certain rebels had been to Kurnegalle on Sunday, had made war there, and it is bad for us to remain without going there. I went. 1st prisoner hastened on the people to go. 2nd prisoner also went. We went towards Kurnegalle. I went within half-a-mile of Kurnegalle. We heard firing, and saw people running towards us. We also ran into the jungle and to our villages. I gave information two or three days after this to save my life and property.

Mieskin.—Lives near Kurnegalle, about a mile and a-quarter from it, on the Colombo road. Rebels entered Kurnegalle on a Tuesday, about eleven in the morning; more than 3000 people. I saw 1st and 3rd prisoners going with the rebels; both had swords. Heard firing afterwards when in the jungle. I keep a boutique, and have paddy fields. I am a Malabar man.

Bastian Naide, examined.—Lives near Kurnegalle, on the Colombo road, close to the town. Saw rebels go into the town on Tuesday. Saw 3rd prisoner with them; knew him before; he is called an Aratchy; he had a sword. Then I heard a firing. Then I ran into the jungle; gave information four or five days after to Mr. Gibson. 3rd prisoner never reported me as having cut wood in Government Forest.

Enclosure 3 in No. 37.

Enc. 3 in No. 37.

The Queen's House, Colombo,
September 25, 1849.

SIR,

1. I HAVE the honour to acknowledge your letter of the 23rd instant, transmitting the notes of evidence, and sentences of death passed on the prisoners convicted of high treason at the late session of the Supreme Court held at Kandy for the special purpose of trying persons implicated in the late rebellion.

2. I have given to this communication not only the respectful attention becoming your high authority, but that painful and anxious consideration inseparable from the solemn question of life and death suggested by your general recommendation of all the prisoners for a commutation of their punishments. But after soliciting the advice and opinions of the Executive Council, it is with great reluctance that I find myself unable to concur with you in the propriety of that course towards some of those men convicted in due course of law, and whose guilt has been so clearly established that the strict line of your duty, uninfluenced by other considerations, would have led you, as you state, to recommend to me to inflict on them the last penalty of the law in vindication of justice, order, and good government.

3. These considerations, I must observe, are unconnected with the judicial question on which it was properly within your province to assist me with your advice; but, irrespective of this, I am compelled to say that neither they nor the reasoning founded on them which has induced you to adopt a different line in recommending these parties to mercy, has produced the same result in my mind; whilst at the same time such publicity has unfortunately been given to your opinions on this subject as would involve the Government in embarrassment were I to set aside your recommendation to mercy and leave these individuals for execution. On the other hand, I foresee much practical inconvenience likely to result from this summary review of all the proceedings of the highest civil tribunal in the island, followed by a sweeping modification of its judgment upon men convicted of the gravest offences known to our laws.

4. Upon a deliberate calculation, however, of the comparative evils of either course, and feeling strongly the disadvantage at which I am placed in acting on my own judgment, I have deemed it best to lean to the side of mercy, and to adopt so much of your recommendation as regards the commutation of all capital punishments, substituting transportation for life in the instance of those convicts who have not been recommended to mercy by the juries, and transportation for 14 years in all the other cases.

I have, &c.,
(Signed) TORRINGTON.

The Hon. Sir A. Oliphant, Kt.,
Chief Justice.

Enclosure 4 in No. 37.

COURTS MARTIAL.

TABULAR VIEW of TRIALS and SENTENCES by COURT MARTIAL in the KANDYAN PROVINCES during the existence of Martial Law between 29th July and 10th October, 1848.

No.	Prisoner's Name.	Charge.	Date and Place of Trial.	Finding and Sentence.	Remarks.
1	Police Constable Adrien Appoo.	For having, at Kandy, on the afternoon of the 31st July, 1848, when on duty as police constable, wilfully, or through neglect, allowed a person given into his custody, on a charge of creating a false alarm, to escape from his custody.	1848. 2 Aug. Kandy.	<i>Guilty.</i> Sentenced to undergo a corporal punishment of 50 lashes.	
2	Mudelehamy.	For having, on Monday, the 31st day of July, 1848, at Ambulekanda, within the district of Kandy, with a stick assaulted and robbed one Armoogam Chitty of 8l., and silver chain and one pair of gold earrings.	7 Aug. Kandy.	<i>Guilty.</i> Sentenced to receive a corporal punishment of 50 lashes, and imprisonment with hard labour for two years.	
3	Dingualle, the Kurnigalle pretender.	For having, in the district of Seven Korles, in the island of Ceylon, between the 2nd and 4th day of August, 1848, together with other false traitors, armed and arrayed in a warlike manner with guns, muskets, swords, and spears, or other weapons, traitorously joined in rebellion and levied war, and traitorously assembled and gathered together against Her Majesty the Queen, and endeavoured by force of arms to subvert and destroy the Constitution and Government of the island of Ceylon, as by law established.	5 Aug. Kurnegalle.	<i>Guilty.</i> Sentence, that the prisoner be shot to death, and after execution, his body to be hanged on a tree in a public place in the neighbourhood of Kurnegalle for four days.	Sentence to be carried into immediate execution.
4	1st. Hewahakooragey. 2nd. Poorang Appoo. 3rd. Yakdebedegey Allis.	For having (not regarding their allegiance as subjects) rebelled and levied war against Her Majesty the Queen, to deprive her of her Kandy dominions, and endeavoured, on the 2nd day of August, 1848, at Kordepalle, within the district of Kandy, to shoot at one Don Cornelis and others; they the said Hewahakooragey, Thomas Françoise Appoo (alias) Poorang Appoo, and Yakdebedegey Allis, being armed with loaded guns.	8 Aug. Kandy.	<i>Guilty.</i> The first prisoner to be transported for 14 years; the second prisoner to be shot to death; and the third prisoner to be transported for 14 years.	Sentence of the second prisoner carried into effect 8th August, 1848.
5	1st. Appoochamy. 2nd. Koeralle. 3rd. Booterahamy. 4th. Tua Hamy.	For having, on Monday, the 31st July, 1848, at Cabrooselle estate, within the district of Kandy (being armed with knives, daggers, bill-hooks, and sticks), stabbed one Assen Cangun with a knife, assaulted and beaten Nulla Sennau and others, coolies on the said estate, and robbed a quantity of axes, mamotees, plates, and other property belonging to the said estate.	9 Aug. Kandy.	<i>Guilty.</i> Sentenced to transportation for 14 years.	
6	Desnaike Mudecanselegey Calloo Banda.	For having, in the district of Seven Korles, within the island of Ceylon, between the 2nd and 4th days of August, 1848, together with other false traitors, who were armed, did accompany one Dingeralle, of Hangurkettee, who called himself king throughout the said district, calling upon the people to renounce their allegiance to our Sovereign Lady Queen Victocia, and to acknowledge him the said Dingeralle as their lawful king; and also attempted to raise and levy insurrection and rebellion in this island, and thereby to subvert and destroy the Constitution and Government of this colony as by law established.	9 Aug. Kornegalle.	<i>Guilty.</i> Sentenced to be transported as a felon for the period of his natural life.	
7	Ranghamy.	For having, at or near Vallicoonbera, within the district of Seven Korles, with a certain gun, then and there charged with gunpowder, and which gun he the said Ranghamy then and there having in both his hands, fired at, against, and upon Sanlamia, a corporal, and Caderwelle, a private, both of Her Majesty's Ceylon Rifle Regiment, then and there feloniously, unlawfully, and maliciously did shoot with the intent to kill the said Sanlamia and Caderwelle, and thereby to prevent the lawful apprehension of him, the said Ranghamy, and accomplices.	10 Aug. Kurnegalle.	<i>Guilty.</i> Sentence that the prisoner be shot to death.	Sentence carried into effect at half-past four o'clock p.m. this day, 10th August.
8	1. Nayanar. 2. Narayneu. 3. Peroovia.	For having in their possession, in the bazaar of Kornegalle, on the 8th August, 1848, within the district of Seven Korles and the island of Ceylon, certain articles of clothing claimed by Francis Daniels, T. Vanderpert, and Savil Chitty, all of the town of Kurnegalle; which articles were taken from the houses of the said claimants on Sunday, the 30th ultimo, by some person or persons unknown.	11 Aug. Kurnegalle.	<i>Guilty.</i> Sentenced to a corporal punishment of 50 lashes each.	
9	1st. Veeran, and 2nd. Colly Multro.	For attempting to rob Robert Leech, Esq., of Ballicadua . . .	13 Aug. Matelle.	<i>Guilty.</i> Sentenced to receive a corporal punishment of 50 lashes each.	
10	Etarywelle Aratchy. Etarywelle Pancheralle. Etarywelle Appohamy. Etarywelle Okeralle. Pitonella Pancheralle.	1st. For having at Cabroosa Ellia, on the 31st July, 1848, maliciously and unlawfully, and contrary to their allegiance as British subjects, endeavoured with knives, stones, and other weapons, to deprive Her Majesty the Queen of her dominions in the island of Ceylon. 2nd. With having robbed and plundered axes, mamotees, household furniture, the property of Robert Leech, Esq., and others.	14 Aug. Matelle.	<i>Guilty.</i> The 1st, 2nd, and 3rd prisoners to be transported as felons for 14 years; the 4th and 5th prisoners for 7 years each.	
11	Antho Appoo.	For having on the 8th August, 1848, at Ipitamulla, maliciously and unlawfully endeavoured to extort money from Dengena Apolonia, by tying his hands and falsely accusing him of theft.	16 Aug. Matelle.	<i>Guilty.</i> Sentenced to receive a corporal punishment of 75 lashes and 6 months' imprisonment, with hard labour.	

Tabular View of Trials and Sentences by Court-martial in the Kandyan Provinces, &c.—*continued.*

No.	Prisoner's Name.	Charge.	Date and Place of Trial.	Finding and Sentence.	Remarks.
12	1st. Manual, and 2nd. Bub Appoo.	For maliciously and unlawfully at Tragolle, on the 12th August, 1848, representing themselves to be police-constables, and taking into custody and threatening to bind Keralle, of Tragolle, and three others, with intent to extort money for their release, and for extorting two rupees from each.	1848. 17 Aug. Matelle.	<i>Guilty.</i> Sentenced to receive 75 lashes and 1 year's imprisonment, with hard labour each.	50 lashes of Bub Appoo's sentence remitted, he being an old man.
13	Mawoosa Galle.	For attacking on the Queen's highway, on Friday the 4th August, 1848, a party of Coolies proceeding from Matelle, towards Oodlemanne Estate, killing Arrachan, one of the said party, and wounding with intent to kill two others of the same party, Poonam and Thomas Multroo, since dead, and plundering the party.	22 Aug. Matelle.	<i>Guilty.</i> Sentenced to be shot to death.	Sentence carried into effect at 11 o'clock, A.M., 25th August, 1848.
14	1st. Junes Appoo. 2nd. Letchmanan. 3rd. Thamsia. 4th. Smair Appoo.	The first and second with having, on the 20th August, 1848, at Dermunumully, stolen two brass chambrs and two brass dishes from the house of Arretelogeade, at that place aforesaid, and the third and fourth prisoners with aiding and abetting in the same.	22 Aug. Dambool.	<i>Guilty.</i> Sentenced to 50 lashes and 6 months' hard labour.	
15	Dingoselle.	For neglect of duty in not reporting to Lieut.-Colonel Cochrane, after his arrival at Dambool with troops, the plundering of a house belonging to Heleawasser Bolappoo, but did not conceal the same until information was given of the fact by others.	21 Aug. Dambool.	<i>Guilty.</i> Sentenced to 20 days' hard labour and 25 lashes.	
16	Appoo Hamy.	For attempting to bribe Mr. Mills, the interpreter, on Saturday the 19th day of August, 1848, for the purpose of screening him of an offence which he, the prisoner, acknowledges to have committed.	23 Aug. Dambool.	<i>Guilty.</i> Sentenced to 1 month's imprisonment, with hard labour.	
17	Kaddahpolla Unause.	1st. For directly or indirectly holding correspondence with rebels, and not giving all the information in his power which might lead to the apprehension of a proclaimed rebel; he, Kaddahpolla Unause, professing to know his place of concealment on or about 17th August, 1848. 2nd. For administering or conniving at the administration of a treasonable oath to one Kerr Bande, on or about the 17th August, 1848.	25 Aug. Kandy.	<i>Guilty.</i> Sentenced to be shot to death.	Sentence carried into effect at 7 o'clock, A.M., 26th August, 1846.
18	Oundualle.	For treason in having at Loonocadwelle Wehard, in the district of Kurnegalle, in the island of Ceylon, on or about the 3rd August, 1848, appeared under arms and performed duty of a sentry or guard, for the purpose of protection of one Dinger Ralle, calling himself king, thereby renouncing his allegiance to our Sovereign Lady Queen Victoria, and aiding in an attempt to subvert and destroy the Constitution and Government of this colony, as by law established.	28 Aug. Kurnegalle.	<i>Guilty.</i> Sentenced to be transported beyond the seas for 14 years.	
19	Seman Appoo.	For having at Kurnegalle, in the island of Ceylon, on or about the 27th of August, 1848, wilfully and maliciously set fire to the house of Abraham Perera, a peon, employed by the Assistant Government Agent of Kurnegalle, thereby causing its entire destruction, together with the property therein.	29 Aug. Kurnegalle.	<i>Guilty.</i> Sentenced to imprisonment, with hard labour, for 2 years, and 50 lashes.	
20	Karoo Appoo.	For having near the village Nickewerrek, in the district of Kurnegalle, in the island of Ceylon, on or about the 3rd of August, 1848, appeared in arms and in company with an armed party, and for having at the place and time above mentioned, assaulted and robbed one Allagam of Putlam, and others.	29 Aug. Kurnegalle.	<i>Guilty.</i> Sentenced to be transported beyond the seas for a period of 14 years.	
21	Satyamne Madooma Odear.	For having in his possession stolen property	30 Aug. Matelle.	<i>Guilty.</i> Sentenced to undergo an imprisonment of 180 days, with hard labour, and further, to restore the property found in his possession.	
22	1st. Ellis Appoo, and 2nd. Punchy Appoo.	For binding Subby Hamy, and extorting money from him in his own house.	31 Aug. Matelle.	<i>Guilty.</i> Sentenced to 50 lashes, and 180 days' hard labour.	
23	Allpulle.	For robbing one Dingetty's house	1 Sept. Matelle.	<i>Guilty.</i> Sentenced to 50 lashes, and 180 days' hard labour.	
24	1st. Hodgee. 2nd. Veranetty. 3rd. Appoo Ketty. 4th. Armoogam. 5th. Kanewsian.	For stealing property intrusted to their charge on the 2nd August, 1848.	1 Sept. Matelle.	<i>Guilty.</i> Sentenced to 50 lashes, and imprisonment, with hard labour, for a period of 180 days each.	The Court beg to recommend the prisoners to mercy, in consideration of the service rendered to Government by apprehending Poorang, Appoo, and others. In consequence of the recommendation of the Court, the corporal punishment awarded is remitted.

Tabular View of Trials and Sentences by Court-martial in the Kandyan Provinces, &c.—*continued.*

No.	Prisoner's Name.	Charge.	Date and Place of Trial.	Finding and Sentence.	Remarks.
25	Micken.	For disgraceful conduct, in having at Kandy, in the island of Ceylon, on the evening of the 24th August, 1848, stolen, or connived at, or suffered to be stolen from Captain John Hawkshaw, Royal Engineer, a sum of money in Company's rupees, amounting to 8 <i>l.</i> or thereabout, as also a small iron box, containing three gold sovereigns and some keys, and which were taken from a portmanteau, which was forced open, and which was, at the time of the robbery, in a military quarter occupied by Captain Seward, 37th Regiment, and Captain J. Hawkshaw, Royal Engineer, of which the prisoner had the charge, as servant of Captain Seward.	1848. 1 Sept. Kandy.	<i>Not Guilty.</i>	
26	1st. Appoo Hamy, Ambegasewe Cooralle. 2nd. Wannihammy Kadamhawe, Gang Aratchy. 3rd. Appoo Hamy, Dahanaikgamue Aratchy. 4th. Maddelehamy, Rutmulle Aratchy.	For treason, in having at Loonocaddewelle Wihard, in the district of Kurnegalle, in the island of Ceylon, on or about the 3rd August, 1848, appeared in company with an armed assemblage, headed by one Dingiralle, calling himself a king, thereby renouncing their allegiance to our Sovereign Lady Queen Victoria, and aiding in an attempt to subvert and destroy the Constitution and Government of this colony as by law established.	2 Sept. Kurnegalle.	<i>Guilty.</i> Sentence that the whole of the prisoners be shot to death.	Sentence carried into immediate execution.
27	Mall Hamy.	For having at Morna Kanda, between the hours of 7 and 10 o'clock on the morning of the 31st July, 1848, stolen the under-mentioned articles, the property of his master, of which he, the prisoner, had charge:— 1 double-barrelled gun. 1 pair of pistols. 12 shirts. 4 jackets. 5 pairs of white trousers 2 shooting-coats. 2 blankets. 1 bed-cover.	2 Sept. Kandy.	<i>Guilty.</i> Sentenced to be transported as a felon beyond the seas for a period of 14 years.	
28	Twenty-six Moormen, villagers of Bogam- bra.	For plundering the villagers of Bogambra	2 Sept. Matelle.	<i>Guilty.</i> Sago Mahommed to receive a corporal punishment of 50 lashes. Abder Cader, Allia, Allia Pitche, and Abdul Corder, 30 lashes, and all the other prisoners 20 lashes each.	
29	Nallewalle Ondege- there Duera.	1st. For treason, in having at Diatorre, in the district of Kurnegalle, in the Island of Ceylon, on or about the 4th August, 1848, assembled with others in company with a man calling himself a king, thereby renouncing his allegiance to our Sovereign Lady Queen Victoria, and aiding in an attempt to subvert and destroy the Government of this colony as by law established. 2nd. For having, at the time and place mentioned in the first charge, fired one of four guns which were aimed at and discharged at Coudera and Ellis Appoo, by which discharge of guns the former was killed and the other wounded.	2 Sept. Kurnegalle.	<i>Guilty.</i> Sentenced to be shot to death.	Sentence to be carried into effect immediately.
30	Appoo Hamy.	For having, at Morna Kanda, on the 31st July last, between the hours of 7 and 9 o'clock, aided and abetted in a robbery of the property of W. Cavanagh, Esq.	4 Sept. Kandy.	<i>Guilty.</i> Sentenced to a corporal punishment of 25 lashes.	
31	Christian Appoo.	For plundering the house of Calen Hame in the night	4 Sept. Matelle.	<i>Guilty.</i> Sentenced to a corporal punishment of 75 lashes, and imprisonment with hard labour for 365 days, make good the stolen property.	
32	1st. Nickale Punche- ralle. 2nd. Melyitiya Ap- poo Hamy. 3rd. Alutgamme Bandy. 4th. Allawalle Godde Leortin.	High treason.	6 Sept. Matelle.	<i>Guilty.</i> Sentenced to be shot to death.	Sentence carried into effect at 11 o'clock A.M., the 7th instant.
33	Rankia.	For having at Hullolua Ferry, on or about the 2nd day of September, 1848, unlawfully stolen a box containing about 10 <i>l.</i> sterling, the property of Andene Mendis.	7 Sept. Kandy.	<i>Not Guilty.</i>	
34	Zedonis Appoo.	For having on or about the 6th September, 1848, between the hours of 2 and 4 o'clock on the afternoon of that day, inflicted blows upon a Malabar Coolie, commonly known by the name of Settlingen, which occasioned his death.	9 Sept. Kandy.	<i>Guilty.</i> Sentenced to six months' imprisonment, with hard labour.	
35	1st. Verrapen. 2nd. Puckre. 3rd. Madin. 4th. Ebrui.	For plundering several houses under false pretences, asserting that they had authority from the Government Agent.	13 Aug. Matelle.	<i>Guilty.</i> Sentenced to a corporal punishment of 75 lashes each.	

(Signed)

T. A. DROUGHT, Lieut.-Colonel,
Commanding the Troops Central Province.

Tabular View of Trials and Sentences by Court-martial in the Kandyan Provinces, &c.—*continued.*

No.	Prisoner's Name.	Charge.	Date and Place of Trial.	Finding and Sentence.	Remarks.
1	1st. Madhiema Odiar. 2nd. Coluna Odiar. 3rd. Sawa Carna.	1st. For having on the 14th August, 1848, at Elleuppittia maliciously and wilfully, being armed with clubs, broken into the house of A. Karenda, and robbing from thence 12½ in rupees, and several articles of furniture. 2nd. For having, on the same evening, bound, tied, and threatened to kill Waapos of Nicagoole.	1848. 18 Aug. Matelle.	<i>Not Guilty.</i> <i>Acquitted.</i>	
2	Puncheralle.	For aiding in an attempt to take forcible possession of the property of Cabroora Ellis Estate, on Monday 31st July, 1848.	19 Aug. Matelle.	<i>Guilty.</i> Sentenced to 100 lashes, and imprisonment with hard labour for 365 days.	
3	Koodegedere Kalovun.	With creating false alarm in the village of Oville, thereby endeavouring to cause the inhabitants to leave their homes, and intentionally creating want of confidence towards the Government.	21 Aug. Matelle.	<i>Guilty.</i> Sentenced to 50 lashes, and imprisoned, with hard labour, for 130 days.	
4	Ettepolle Medde. Geddere Banda.	With intent to create alarm in the minds of the people of Asgiria, by maliciously stating to them that his brother-in-law, Ooraner Banda of Alungawa, had an order to seize the inhabitants of Asgiria.	22 Aug. Matelle.	<i>Guilty.</i> Sentenced to 100 lashes, and imprisoned for 365 days, with hard labour.	
5	Police Constable Camichy Appoo.	For beating a Coolie belonging to Mr. J. B. Clarke in the bazaar of Matelle.	26 Aug. Matelle.	<i>Guilty.</i> Sentenced to 25 lashes, and dismissed from the police force.	
6	1st. Barba Aratchy. 2nd. Keerey Banda. 3rd. Ookooowelle Banda. 4th. Killonova Puncheralle. 5th. Ookooowelle Teartoo.	High treason	14 Sept. Matelle.	<i>Guilty.</i> Sentenced to be shot to death. The Court strongly recommended Ookooowelle Teartoo to mercy, in consideration of his extreme youth.	The Court having attentively weighed and considered the sentence against Ookooowelle Teartoo, do now sentence him, Ookooowelle Teartoo, to be transported as a felon for 7 years.
7	1st. Dingeralle. 2nd. Appooralle. 3rd. Egoodeyedere Appooralle. 4th. Seraineralle. 5th. Polingeralle. 6th. Malhamy. 7th. Geossemaralle. 8th. Appooralle. 9th. Cororalle.	High treason	16 Sept. Matelle.	The first six prisoners <i>Guilty.</i> Sentenced to be transported as felons for a period of 7 years. The last three prisoners <i>Not Guilty.</i> <i>Acquitted.</i>	
8	1st. Puncheralle. 2nd. Dingeralle. 3rd. Geossemaralle.	High treason	16 Sept. Matelle.	<i>Guilty.</i> Sentenced to be transported as felons for a period of 14 years.	
9	1st. Pehuneralle Ged-dere Appoo. 2nd. Ilera of Mehipittya. 3rd. Ookoonwelle Pallinatu Puncheralle.	High treason	18 Sept. Matelle.	<i>Guilty.</i> Sentenced to be transported as felons for a period of 14 years.	
10	Mulhamy.	For refusing to obey the orders of and assaulting his Aratchy Sierralle of Villigalle.	19 Sept. Matelle.	<i>Guilty.</i> Sentenced to 25 days' imprisonment, with hard labour.	
11	Mihigahapetra Gedere Ookooowelle.	For having stolen property in his possession.	21 Sept. Matelle.	<i>Guilty.</i> Sentenced to undergo imprisonment, with hard labour, for the period of 160 days.	
12	Ookkoowa.	For having, on or about mid-day 21st instant, on Her Majesty's highway, between one and two miles outside the town of Kandy, assaulted Jagaduengy Gedere Punche Ralle, when conveying a despatch from the Commandant to Captain Fenwick, Commanding Detachment Ceylon Rifle Regiment, Karondegalle.	22 Sept. Kandy.	<i>Guilty.</i> Sentenced to a corporal punishment of 50 lashes, and imprisoned with hard labour for a period of 6 months.	

Kandy, September 26, 1848.

(Signed)

T. A. DROUGHT,
Lieut.-Colonel Commandant.

CEYLON.

Enclosure 5 in No. 37.

Encl. 5 in No. 37.

SUMMARY of Punishments under Martial Law at the Places named.

Where Tried.	Death.	Transported.				Imprisonment with Hard Labour.	Corporal Punishment and Imprisonment.	Corporal Punishment.	Acquitted.	Total.
		Life.	14 Years.	10 Years.	7 Years.					
At Kandy	2	..	7	..	..	1	2	2	2	16
At Matelle	9	..	9	..	9	2	21	28	6	84
At Kornegalli	7	1	1	1	..	..	1	3	..	14
At Dambool	..	..	..	..	..	1	5	..	..	6
Total	18	1	17	1	9	4	29	33	8	120

Kandy, September 26, 1848.

(Signed)

T. A. DROUGHT,
Lieut.-Colonel Commandant.

No. 38.

(No. 186.)

No. 38.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

MY LORD,

Queen's House, Colombo,
October 16, 1848.
(Received November 24, 1848.)

* Page 233.

WITH reference to my Despatch, No. 180,* by the present mail, in which I submitted to your Lordship the state of the finances of this colony up to the 30th June last, I have the honour further to state that, although the expenses for military purposes since that period, necessarily arising out of the vigorous measures adopted for the suppression of the Kandian insurrection have been considerable, I am induced to hope that they may ultimately be defrayed out of the ordinary resources of the colony without any serious embarrassment.

2. I shall continue to use every effort to reduce our ordinary expenditure within the narrowest limits consistent with the pressing demands of the public service; and if it shall be found, as I am sanguine enough to hope that it may be, that during a period of universal monetary pressure throughout the world, Ceylon will have been able to effect the complete suppression of an insurrection without drawing upon imperial funds, although she still contributes towards the reimbursement of the Queen's pay of the troops employed in the island, beyond the large expenditure defrayed out of colonial funds for ordinary local military purposes, it will, I trust, be a fortunate and flattering position for this island to assume among British colonies.

* Page 236.

3. In my Despatch, No. 184,* I have already intimated that only the extra expenses incurred on account of the temporary employment of the Madras troops in Ceylon would be charged against this Government; and I have now the honour to forward to your Lordship copy of a letter from the secretary to the Government of Madras in the military department, giving cover to an extract from a letter from the Accountant-General, dated 8th September last, in which directions are given as to the manner in which the extra charges incurred by the Madras Government beyond the ordinary pay and allowances of the troops, consequent upon their employment in Ceylon, are to be brought to account and defrayed by this Government.

1.

4. As the present state of the money market in this colony, and the large amount of unemployed capital lying idle in the coffers of the "Oriental Bank," made it a favourable moment to borrow from that institution sufficient cash to meet the most important outstanding claims against the Government, I have, in concurrence with the recommendation of my Executive Council, taken advantage of the permission conveyed to me in your Lordship's Despatch, No. 254, of the 18th July last. I was desirous, however, if possible to avoid the inconvenience of issuing debentures, as suggested in that Despatch; and having entered into negotiations with the manager of the "Oriental Bank," I have succeeded in obtaining a loan upon an open account with that institution, upon terms which I think will appear to your Lordship to be very advantageous.

5. They are as follows: from the 1st of September last it was agreed that the Oriental Bank should hold at the disposal of this Government an amount not exceeding 50,000*l.*, to be drawn in such sums and at such times, before the 31st December next, as the Government might require.

(2.) The interest was to be charged upon the sums drawn, at a rate to be fixed by the Board of Directors in Bombay, not to exceed the rate paid by the Indian Government for their last loan, namely, 5 per cent.; but there was every hope entertained that no higher rate than 3½ or, at most, 4 per cent. would be charged. Upon this subject no reply has yet been received from Bombay.

(3.) The amount so drawn upon this open credit is to be repaid, together with the interest due thereon, within six months after the 31st December next, either in specie on the spot, or by bills drawn against the Queen's pay of troops upon the Lords Commissioners of Her Majesty's Treasury; the Bank, however, allowing the highest rate of premium procurable for them in Bombay, less the cost of freight and insurance of treasure from Bombay to this place, should the Bank require the money on the spot.

6. I forward a copy of the letter from the manager of the Bank, in which the terms of the loan are set forth, reference however being made to Bombay upon the subject of a lower rate of interest than 5 per cent.

7. The whole amount advanced by the Bank under the above agreement, up to this date, is only about 32,000*l.*, out of which we have been enabled to pay off the balance due to the Bombay Government, as well as that due to the Madras Government up to the beginning of September. Full particulars of the appropriation of the loan, and of the financial position of the colony with relation to the unforeseen military expenditure, shall be forwarded to your Lordship as soon as the accounts shall have been made up.

8. I trust your Lordship will approve of the course which I have judged it most expedient to adopt, as conducive to the interests of the Government, to the economical application of the resources of the colony, and to the strict maintenance of public faith.

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) I have, &c.,
TORRINGTON.

Enclosure 1 in No. 38.

Encl. 1 in No. 38.

SIR,

Fort St. George, September 26, 1848.

1. I AM directed to forward, for the information of his Excellency the Right Honourable the Governor of Ceylon, the accompanying copy of extract from a letter from the Accountant-General at Madras, relative to the pay and accounts of the troops sent from this presidency to Ceylon.

2. The Right Honourable the Governor in Council has directed that only the extra charges occasioned by this employment of the troops shall be charged to the Ceylon Government, and that the whole of the disbursements shall be regulated and brought to account in the manner proposed by the Accountant-General.

(Signed) I have, &c.,
C. A. BROWNE, Lieut.-Colonel,
Secretary to Government.

To the Colonial Secretary at Colombo.

EXTRACT from a Letter from the Accountant-General, dated 8th September, 1848, No. 294.

As no paymaster has been appointed on the present occasion, the senior officer commanding the Madras troops may be authorized to take up such sums as may be required for the present service from Her Majesty's Treasury at Ceylon, the same being placed to the credit of the Ceylon Government in the Madras accounts rendered quarterly to the Government. He should be instructed to forward all abstracts and vouchers disbursed by him, through the Presidency Paymaster to the Military Auditor-General, for the purpose of undergoing audit; after which, they should be retransmitted to him, with a view to his debiting in his accounts the sums thus passed by the Military Auditor-General, consisting of the extra charges of the present service to the Ceylon Government, and the remainder being the ordinary pay and allowances of the troops, as a military charge of this presidency. Upon the same principle the sums disbursed here, on account of extra expenses of the troops in question, should be debited at once to the Ceylon Government. The vouchers, after being entered in the accounts of the Presidency Paymaster, should be forwarded to this office, from time to time, for the purpose of being embodied in the quarterly accounts prepared in this office of the transactions with Ceylon, and for transmission to the authorities at Colombo; in order that corresponding credit may be afforded to this presidency, in the Ceylon accounts, the balance shown in these

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accounts, as due by that Government, being paid either in cash or by bills drawn by Her Majesty's Government in Ceylon, on Her Majesty's Treasury in London, in favour of the Supreme Government.

A true Extract.

(Signed)

C. A. BROWNE, Lieut.-Colonel,

Secretary to Government.

Encl. 2 in No. 38.

Enclosure 2 in No. 38.

SIR,

Colombo, Oriental Bank, August 31, 1848.

WITH reference to the memorandum handed you on the 8th instant, and the subsequent conversation with the Council at Queen's House, on the subject of a loan from this bank to the Government, I have now the honour to inform you that the bank is prepared to advance to the Government the sum of fifty thousand pounds (50,000*l.*), and that that amount is accordingly from this date held at their disposal.

It is understood that this amount (or whatever portion of it the Government may require) is to be repaid, with interest, at the rate of not more than five (5) per cent. per annum, by bills on the Home Treasury, within six months from the 31st December next.

The rate of interest named (5*l.*) is the lowest I am at present authorized to fix; but in accordance with the request of the Council, in the course of the conversation alluded to, I shall again refer the matter to the Board of Directors at Bombay, and acquaint you with the result as soon as ascertained.

I have, &c.,

To the Colonial Secretary at Colombo.

(Signed)

G. S. DUFF, Magistrate.

No. 39.

(No. 195.)

No. 39.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON
to Earl GREY.

MY LORD,

Queen's House, Colombo,

November 6, 1848.

(Received December 26, 1848.)

No. 143, Aug. 14, 1848.
No. 144, Aug. 14, "
No. 149, Aug. 15, "
No. 164, Sept. 14, "
No. 165, Sept. 15, "
No. 184, Oct. 14, "
No. 185, Oct. 14, "

MY recent correspondence, noted in the margin, will have conveyed to your Lordship the fullest particulars respecting the origin, progress, and termination of the insurrection in certain portions of the Kandian country. In my Despatch, No. 184, by last mail, I have already communicated to your Lordship that I had withdrawn the proclamation of martial law, which ceased to have effect on the 10th ultimo; and in other portions of my correspondence, I intimated my intention to lay before the Legislative Council "An Ordinance to indemnify the Governor and all persons acting under his authority for certain acts done during the existence of martial law in certain parts of the island."

2. I have now the honour to transmit to your Lordship the Ordinance as finally passed by the Council, on the 23rd ultimo (being No. 11 of 1848) for attaining the object above proposed, and I trust that your Lordship may be induced to recommend that it shall receive the confirmation of Her Majesty.

3. In the course of the lengthened correspondence to which I have already adverted, ample grounds will, I trust, have been shown for the proclamation of martial law under the peculiar circumstances of the moment, and in the limited districts in which the people had appeared in arms in open resistance to Her Majesty's authority. It will likewise, I am induced to hope, have been apparent that the limitation of the insurrection to the immediate localities in which it first broke out, and the general preservation of peace and security in other parts of the Kandian country, were chiefly to be attributed to the effect produced by the early proclamation of martial law, and to the vigorous measures which were resorted to under its operation.

4. With my Despatch, No. 185,* of the 14th ultimo, I have already forwarded to your Lordship a full return of all the trials held by courts-martial during the above-mentioned period at Kandy, Kornegalle, Dambool, and Matelle. I likewise transmitted returns of the convictions before the special sessions of the Supreme Court, which were held for the purpose of trying those prisoners who were captured prior to the proclamation of martial law. A great number of prisoners were taken into custody who were ultimately discharged without

* Page 242.

being put upon their trial, and a few were likewise discharged after acquittal by the Courts.

5. The general disorganization of the disturbed districts, the impossibility of knowing who were in reality friends or foes, and the necessity, even for sake of security, of taking possession of the property of persons who were in custody, rendered it indispensable that a considerable amount of property should be sequestered by the military authorities pending the measures in progress for the trial of its owners.

6. In other instances the property of parties who were either known to have joined the rebels or were suspected of disaffection owing to their connexion with parties implicated in it, or in consequence of their continued absence from their homes, was temporarily placed in charge of persons appointed by the military authorities, detailed accounts being in every instance kept of the amount and description of property both moveable and immoveable of which possession was so taken.

7. The temple at Dambool likewise, in which the pretended king was installed, and the priests of which were known to be active agents in getting up the insurrection, was closed, and seals put upon the doors, while the property of the temple was placed in the charge of persons selected by the officer commanding the troops, pending the trial of some of the priests who were in custody, and also for the sake of protecting it from the depredations of marauders.

8. In some instances it was absolutely necessary to sell on the spot, and in others to bring into Kandy for sale, perishable articles, such as grain and other productions, as well as cattle and implements which there were no means of keeping in safety, in the then state of the country.

9. Accurate accounts have been kept of the proceeds of all the property thus disposed of, and the balance (after deducting the incidental expences) was held at the disposal of Government until means should be found of settling equitably the claims of the respective parties concerned.

10. In no case has any immoveable property been sold, and care was taken, as far as circumstances permitted, for the security of the growing crops upon the ground. The proceeds of the sales of personal property belonging to parties who were acquitted or were not put upon their trial, have been paid over to the individual owners or are now in process of being so paid. Orders have likewise been issued for the immediate restoration to their proprietors of all those lands which were temporarily sequestered. But reluctance has been shown in some instances on the part of the owners of these properties to come forward and establish their claims.

11. The landed property of those who were found guilty of high treason before the Supreme Court will *ipso facto* escheat to the Crown, and steps are being now taken under the directions of the Queen's Advocate for ascertaining the extent and situation of these lands and for getting immediate possession of them. But I have not much expectation that their value will be great, as few of the persons who were convicted appear to have been possessed of any large amount of property.

12. With respect to the lands belonging to persons who were convicted by courts-martial, directions have been given that they shall be restored to the families of the individuals concerned.

13. But another question has arisen respecting the properties of those persons who are known to have taken the most active part in instigating the people to rebellion, but who are still at large and have refused to return to their homes, under the terms of a proclamation which I issued, calling upon them to do so within a definite period. With the advice of my Executive Council, I have directed that a selection be made of the names of four or five of the most influential persons, with a view to submit to the Legislative Council a Bill of Attainder against these individuals, in order that their lands may be finally confiscated.

14. But it will be obvious that apart from all considerations affecting the property of disaffected persons, many acts may have been done under the operation of martial law by the constituted authorities both civil and military, or by their orders, which though absolutely necessary for the attainment of the objects for which martial law was proclaimed, or otherwise inseparable from its existence, might nevertheless be of questionable legality at any other period

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or under any other circumstances. The very nature of martial law and the extent of the powers to be derived from it appears to be little understood, and nothing could, in my judgment, be likely to prove more detrimental to the public interests in this colony than to suffer the *bonâ fide* acts of the military authorities to be brought into question before a civil court, subsequent to the cessation of martial law.

15. I trust that I have already enlarged sufficiently upon the circumstances which appeared to me both to justify and to demand the passing of an Act of Indemnity, such as I have now the honour to submit for your Lordship's consideration. But before I proceed to remark upon its provisions, it becomes my duty to put your Lordship in possession of complete information relative to the property which was sequestered in the districts under the operation of martial law, the mode in which it was either secured or disposed of, and the portion of it which still remains under the charge of the officers of Government pending its final restoration to the parties who may be entitled to receive it back.

16. The two most wealthy individuals whose property was sequestered were named Doolawe, the Maha Nilleme, whom I have on former occasions described as the sole survivor of those who signed the treaty of 1815, and Gollahella, the Ratte-Mahatmeya or principal chief of the district of Matella. These influential individuals were for some time in custody, and the evidence against them was so strong, that it was only owing to a doubt as to the certainty of their conviction by a jury, that they were not put upon their trial before the Supreme Court at its special sessions. They were enlarged on bail, being bound over to make their appearance, if called upon within a definite period, to answer to any charge that might be brought against them for high treason. It was not deemed expedient at once to restore their lands to them, for in consequence of further evidence which was procured subsequent to the capture of the pretended king, they were again taken into custody; but it has at length been finally decided that it would not be expedient to put them upon their trial; and their landed properties will therefore be immediately restored.

17. The greater part of the moveable property of these individuals was sold during the existence of martial law; but an accurate account of its particulars and of the proceeds of the sales has been kept, and the amount has been entered under the name of each individual separately.

18. The amount realized by the sale of moveable property by the Deputy-Assistant Commissary at Kandy, belonging to various individuals, and which there was no means of keeping in safe custody, was about 173*l.*; that realized at Matelle amounted to about 500*l.*; and that at Kornegalle about 250*l.* The expences incurred by effecting these sales have been defrayed out of the proceeds, and the total balance, amounting to about 800*l.*, remains to be distributed among the parties who have a rightful claim to it.

19. With regard to the landed property sequestered in the districts named, the actual extent of it, not belonging to the two chiefs already mentioned, was found to be much less than might have been expected, although the number of individuals concerned was large. In the district of Kornegalle the value of the land sequestered was estimated at about 2500*l.*, belonging to nearly 90 individuals, several of whom were supposed to have been killed in action with the troops. The rightful owners are now being put in possession of their property in all cases where their claims can be fairly established.

20. In the district of Matelle, nearly 40 individuals have already had their properties restored to them; but land, to the value of about 2000*l.*, still remains in the hands of the authorities until the rightful claimants can be put in possession of their respective properties.

21. The keys of the temple at Dambool have already been restored to the priests of the establishment; and their landed property belonging to it, together with that of another temple in the neighbourhood, is in process of restoration to the legitimate temple-tenants.

22. I now proceed to make a few observations upon some of the provisions of the Indemnity Ordinance. These, however, are almost sufficiently explained by the declaration of the object for which the Ordinance was enacted. "The Governor and all persons acting under his authority or direction, or under the authority of any such proclamation of martial law, are to be severally and jointly indemnified and discharged from and against all actions, prosecutions, and penalties whatsoever on account of any acts or things done, ordered, or

“ authorized by the said Governor or by any person acting under his order or authority or under the authority of any such proclamation of martial law, provided only that such acts have been done or ordered, *bonâ fide*, in furtherance of the objects for which martial law was proclaimed.”

23. It is also provided that no such act done under the above authority whether it relate to the seizure and custody of persons or the sequestration or sale of property, shall be questioned in any of Her Majesty's courts of civil or criminal jurisdiction in this island.

24. For the avoidance of any doubt as to whether any act or thing alleged to have been done by such order was so done, it is enacted that it shall be lawful for the Governor, or the officer commanding Her Majesty's forces in the Kandian provinces, to declare such acts to have been done in conformity to such orders, such declaration being signified in writing.

25. The striking provision above recited has been borrowed from the statute passed in Ireland in the year 1798, for the enactment of martial law and for the suppression of rebellion in that part of the kingdom.

26. The only Colonial Act of indemnity to which I have had an opportunity of referring, is the Ordinance passed at the Cape of Good Hope, being No. 10 of 1836, to indemnify the Governor of that colony, and bearing precisely the same title as the Ordinance which I now transmit. The object of that Ordinance was similar, and the circumstances under which it was enacted were very much of the same description as those which have induced the Council to give their assent to the present Ordinance. The Ordinance passed at the Cape of Good Hope was confirmed by His Majesty the King.

27. It is true that the territory of the Cape of Good Hope had been invaded by foreign and hostile tribes, and thus far the circumstances of this colony are not precisely similar, for in this instance they were not foreign tribes, but our own fellow-subjects who took up arms against the constituted authorities. But when it is considered that the Kandian country was the last portion of this island which was subjected to our authority, that on a former occasion it required a military force of 10,000 men and martial law for a space of nearly three years to put down a rebellion in that part of our territory, and that several subsequent attempts were made to raise the people in open insurrection against British authority, I would venture to hope that your Lordship will feel no hesitation in recommending the confirmation of a Bill of Indemnity for acts done in the suppression of an insurrection which was vigorously put an end to in little more than two months. The operation of martial law was only continued until the pretended king was captured, and it materially contributed to that essential object.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

Enclosure in No. 39.

Encl. in No. 39.

ORDINANCE enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 11.

To indemnify the Governor and all persons acting under his authority for certain acts done during the existence of Martial Law in certain parts of this Island.

WHEREAS on or about the 28th day of July, 1848, a treasonable insurrection broke out within certain districts of this island, and by reason thereof it became necessary for the Governor to adopt the most vigorous and decisive measures for the immediate suppression of the said insurrection, and for that purpose to proclaim martial law in the said districts, as hereinafter mentioned. And whereas by a proclamation made by the said Governor, and bearing date the 29th day of the said month of July, it was ordered and declared that martial law should be in force within the district of Kandy, in the central province, from and after the publication in the said district of such proclamation, until further orders: And whereas by a proclamation made by the said Governor, and bearing date the 31st day of the said month of July, it was ordered and declared that martial law should be in force within the district of Kornegalle from and after the publication in the said district of such proclamation, until further orders. And whereas by a proclamation made by the said Governor, and bearing date the 24th day of August, 1848, it was ordered and declared that from and after the date of such proclamation martial law should cease and be no longer in force within so much of the town and gravets of Kandy as is bounded on the west by Trincomalie-street, on the north by Hill-street, and by the road called

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Lady Horton's Walk, on the east by Lady Horton's Walk, and by a straight line drawn from it through the north-western angle of the eastern redoubt to the Kondesalle-road, and on the south by the New-road and part of Kondesalle-road: And whereas by a proclamation of the said Governor, bearing date the 4th day of October, 1848, it was ordered and declared that from and after the 10th day of the said month of October martial law should wholly cease to be in or have force and effect within the said districts of Kandy and Kornegalle. And whereas during the time that martial law was in force in the said districts respectively, it was and became necessary for the Governor and the persons acting under his orders or by his authority or under the authority of such proclamations of martial law to direct, authorize, do, and perform certain acts, matters, and things within the said districts which may not have been in conformity with the ordinary course of law therein, but which were necessary for the public safety: And whereas it is expedient that the Governor and all persons acting under his orders, or by his authority or direction, or under the authority of such proclamations of martial law, should be indemnified in respect of such orders, directions, acts, matters and things.

Governor and persons acting under his orders indemnified for all acts done during the existence of Martial Law.

1. It is therefore hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that the said Governor, and also all persons acting under his orders or by his authority or direction, or under the authority of any such proclamation of martial law as aforesaid, shall be and they are hereby severally and jointly indemnified, freed, and discharged from and against all actions, suits, prosecutions, and penalties whatsoever, for or on account, or in respect of, all or any acts, matters, and things whatsoever done, ordered, directed, or authorized by the said Governor, or by any person or persons acting under his order, direction and authority, or under the authority of any such proclamation of martial law as aforesaid, within the said districts or either of them, during the existence therein of such martial law as aforesaid: so only and provided that such acts, matters, and things shall have been done, ordered, directed or authorized, *bonâ fide*, in furtherance and in the execution of the objects for which martial law was proclaimed as aforesaid. And that no act done in pursuance of any order issued by the said Governor, or by the officer commanding Her Majesty's forces in the Kandyan provinces, for suppressing the said insurrection, or for the safety and protection of the persons and properties of Her Majesty's peaceable and loyal subjects, or for the trial and punishment of treasons and other crimes and offences committed within the said districts, or for the arrest and detention in custody of persons engaged in such insurrection or suspected thereof, or for the seizure, sequestration, or sale of the property of any such persons as last aforesaid, shall be questioned in any of Her Majesty's Courts of civil or criminal jurisdiction in this island. And in order to prevent any doubt which might arise whether any act alleged to have been done in conformity to any such order was so done, it shall and may be lawful to and for the Governor or officer commanding Her Majesty's forces in the said provinces to declare such acts to have been done in conformity to such orders; and such declaration, signified by any writing under the hand of the said Governor or officer commanding Her Majesty's forces, shall be a sufficient discharge and indemnity to all persons concerned in any such acts, and shall in all cases be conclusive evidence that such acts were done in conformity to such orders.

Ordinance to be deemed a public Ordinance.

2. And it is further enacted, that this Ordinance shall be deemed and taken to be a public Ordinance, and shall be judicially taken notice of as such by all judges, magistrates and others, without being specially pleaded.

Passed in Council the 23rd day of October, 1848.

W. C. GIBSON, Clerk to the Council.

Published by order of His Excellency the Governor,
J. EMERSON TENNENT, Colonial Secretary.

No. 40.

(No. 202.)

No. 40.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON
to Earl GREY.

Queen's House, Colombo, November 13, 1848.

(Received December 26, 1848.)

MY LORD,

1.

1. I HAVE the honour to submit for your Lordship's approval and Her Majesty's confirmation the Ordinance No. 14, of 1848, "To alter, in certain respects, the Ordinance No. 8, of the year 1848, and to extend its operation to the maintenance of public tanks and other means of irrigation;" and I proceed, as briefly as possible, to place your Lordship in possession of the objects contemplated in its principal provisions.

2. The Ordinance No. 8, of 1848, required, that before any of the labour to be furnished under it by the people of the country should be applied to the execution of any works, certain preliminary forms should be gone through in respect to the preparation of abstracts of population, the framing of estimates, the election of division officers, &c. But the Government has been prevented by the state of the country from completing the arrangements upon which the fulfilment of these requirements altogether depended. I was, however, unwilling to lose altogether the advantages to be expected from the operation of this measure during the ensuing year, and I therefore directed the preparation

of the first clause of the new Ordinance, which legalizes the application as regards the coming year only of any labour which may become available, notwithstanding the non-observance of the forms I have adverted to, which will in subsequent years be strictly adhered to.

3. Representations were made to me that the liabilities imposed upon householders by the 27th, 38th, 41st, and 42nd clauses of the Ordinance No. 8, were considered, to a certain extent, to be unreasonable, or at all events likely to lead to inconvenience; and, also, that the operation of the Ordinance would be much facilitated by leaving it open to all parties to decide whether they would elect to labour or to pay the commutation for any work required to the latest possible period before their term of labour came. It was, therefore, determined to repeal the 27th, 31st, 38th, 39th, 41st, and 42nd clauses of the original Ordinance, and to substitute the 2nd, 3rd, 4th, 5th, and 6th clauses of the present Bill in their place.

4. With regard to the 8th clause, it involves a very important departure from the principle of the original Bill, and is one to which I feel bound to call your Lordship's especial attention. In the course of the last few months it has been brought particularly under my notice, in connexion with the late events in the interior, that the Buddhist priests are forbidden by the tenets of their religion to possess any property in their own right, and that mendicancy as a matter of principle is enjoined upon them. It is, nevertheless, notorious that almost without exception they live in open violation of this precept; that many of them possess wealth, in some way or other; and that they are frequently involved in lawsuits for the purpose of enforcing pecuniary demands, which if not strictly personal, are, at all events, such as they have a common interest in, as priests of some particular temple. There is, however, no doubt that in theory they have nothing of their own. They are likewise forbidden to perform manual labour; and it appeared obvious, therefore, that if the Government were driven to enforce entire compliance with the Ordinance on the part of a priest, it would find itself placed in the position of compelling him by law to violate his religious vows.

5. I am fully satisfied that under ordinary circumstances matters would scarcely have been brought to this extremity, and that the priests would not have subjected themselves to a formal exposure of the inconsistency of their conduct, but would have rather paid the commutation without much remonstrance. At first view, therefore, it might seem that it would require some stronger grounds than those already advanced to entitle them to any kind of exemption; but the Government had reason to believe that during the late disturbances the priests were availing themselves of the pretended slight offered to their religion, to add to the excitement already existing; and I have therefore judged it expedient to deprive them of this opportunity of doing mischief among the native inhabitants by exempting them from the liabilities of the Ordinance. It will be in your Lordship's recollection that a petition upon this subject, signed by several hundred priests, was transmitted to your Lordship with my Despatch No. 161*, of the 13th September.

* Page 212.

6. I have no desire, however, to disguise from your Lordship that the contemplated exemption has given rise to dissatisfaction in certain quarters. Remonstrances have been made by the Lord Bishop of Colombo, who urged that if there were to be exemptions at all, it should be extended to ministers of religion of all denominations. An amendment to that effect was moved in the Legislative Council, and it was urged that otherwise the exemption of Buddhist priests alone would afford a triumph to their religion, as tending to place them in a superior position to Christian ministers.

7. I cannot, in any degree, subscribe to such a doctrine. The principle upon which the distinction has been drawn cannot be mistaken. The Buddhist priest cannot work, and is forbidden to possess money. The Christian minister cannot work, but is not forbidden to have money. I cannot admit that the Christian minister is degraded by contributing to the necessities of the State, from which many of them receive emoluments, and by not being classed as a mendicant; nor have I any belief that such an idea will become prevalent, unless spread abroad and fostered by those to whom the objection has occurred.

8. I regret that anything should have called for a deviation from the original Bill in this respect; but, under present circumstances, I trust your Lordship will approve of the course I have taken.

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9. These are the only alterations, properly so called, which I have occasion to bring under your Lordship's notice; but an important addition has been made to the original measure, by sanctioning the application of some of the labour to the repair of the public tanks and watercourses. The communications which I have received from Her Majesty's Government have so strongly insisted upon the necessity for steps being taken for the restoration of these valuable works, that I was anxious to take the earliest opportunity of making some attempt at a commencement; the more especially as the Colonial Secretary had forcibly urged that by rendering a portion of the labour available for such purposes, we should, in many districts, make the introduction of the Road Ordinance easier and more popular.

10. I am bound, however, to inform your Lordship, that the proposal met with strong opposition in the Legislative Council from members who, while they admitted the importance of the subject in itself, and expressed their readiness to co-operate in legislating respecting it, regarded its introduction here as wholly inconsistent with the design of the Road Ordinance, and as involving the general application of the labour of the people for the promotion of the private interests of the landed proprietors.

2.
Vide p. 272.

11. I cannot better place your Lordship in possession of the arguments brought forward on both sides than by enclosing a printed report of the debate, which is given with tolerable accuracy. I am inclined to believe that specific and detailed legislation upon this subject will speedily be found necessary, and that the clause which has been introduced into this Bill will principally serve to show the native population that the Government is alive to the necessity of dealing with a subject in which their prosperity is so deeply involved.

12. With these observations I beg to solicit your Lordship's approval of the Ordinance.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

Encl. 1 in No. 40.

Enclosure 1 in No. 40.

ORDINANCE enacted by the Governor of Ceylon with the advice and consent of the Legislative Council thereof.

TORRINGTON.

No. 14.

To alter in certain respects the Ordinance No. 8 of the year 1848, and to extend its operation to the maintenance of Public Tanks and other means of irrigation.

Preamble.

WHEREAS circumstances arising out of the disturbed state of the country have prevented the completion of the arrangements necessary for bringing into simultaneous operation certain of the provisions of the Ordinance No. 8 of this present year 1848, entitled, "To make provision for the formation and improvement of the means of communication in this island." And whereas the Provincial Committees contemplated by the said Ordinance, have not been constituted and appointed in the manner therein provided, by reason whereof the numerical abstracts of the males resident within the several provinces, and the estimates of the amount required to be expended during the ensuing year upon the principal roads, rivers, lakes, and canals therein, have not been transmitted to the Governor within the period prescribed by the 32nd and 33rd clauses thereof: and it is expedient, notwithstanding such omission, to make legal provision for the appropriation of the labour and money which will become due during the said year. And whereas it is also expedient to amend the said Ordinance in certain respects; and to extend its provisions to the maintenance of public tanks and other means of irrigation.

Provincial Committees may apply labour to the execution of works for which the estimates shall be voted by the Legislative Council, and to minor works.

1. It is therefore hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, that it shall be lawful for the Provincial Committees, appointed under the provisions of the said Ordinance No. 8 of year 1848, during the ensuing year only, to apply not more than two-thirds of the labour and money which shall become due during the said year to the execution of any works upon any such principal roads, rivers, lakes, and canals, for which estimates shall have been framed by direction of the Governor, and voted by the Legislative Council. And that it shall be lawful for the District Committees with the approval of the Provincial Committees, to apply any of the residue of such labour for the repair, improvement, maintenance and formation of any minor road or path, river, lake, or canal, or of any public tank or water-course. Provided that the application of such labour and money shall in all other respects be made in strict conformity with the provisions of the said Ordinance, except in so far as the same or any of them are hereby altered or amended.

Householders to furnish lists of males resident in their houses.

2. And it is further enacted, that at any time after the election or appointment of a division officer for any division, under the provisions of the said Ordinance, every householder within the division shall once in every year, on being thereunto required by the division officer thereof,

furnish him with a list of the males resident in his house, and of their respective ages, so far as the same shall be known to him. And any person neglecting to comply with such requisition or wilfully omitting from such list the name of any such male, shall be guilty of an offence, and be liable, on conviction, to a fine not exceeding 5*l*.

3. And it is further enacted, that it shall at all times be lawful for the division officer to call upon any person within his division liable to labour under the said Ordinance, and who may allege that he has performed such labour, or paid the commutation thereof, either in the same or in any other division, to produce to him the receipt or certificate of the proper officer proving such payment or performance. And if such person shall fail to produce such receipt or certificate, the division officer shall insert his name in its proper place in the list of his division; and such person shall thereupon become liable to perform labour in respect of such division. Provided always, that no person shall be liable to such labour, who shall come to reside in any division within three months before the expiration of the current year, unless during any of the preceding months of such year he shall have resided in some other division of the island.

4. And it is further enacted, that the Provincial Committee shall, at least one calendar month before the commencement of any work give notice thereof to the respective District Committees for each of the districts from which any labour may be due for the execution of the same; and such District Committees shall, through the proper division officer, call upon each person liable to perform the said labour to declare to such officer at least ten days before the time fixed for the commencement of such work, whether he will perform in person the labour required of him, or whether he will commute the same: and any person electing to commute shall, at the time of making known his decision, pay over the amount due in respect of such commutation to the division officer. Provided always, that no person shall be required, unless with his own consent, to declare whether he will perform in person the labour due, or commute the same at any time exceeding one month before the time appointed by the Provincial Committee for the commencement of the work for which the same shall be required.

5. And it is further enacted, that at or before the time fixed for the commencement of any work, and at any time during the progress thereof, the division officer shall be and he is hereby authorized to require the persons who have elected to perform labour thereon, to attend and perform the same at such time and place, and in such rotation as may be directed by the District Committee. And if any person who shall have elected to commute the performance of labour, shall fail to pay such commutation as hereinbefore provided, it shall be lawful for the division officer, at any time after the commencement and during the progress of the work in respect of which such payment shall be due, to require such person to perform the labour which he had elected to commute. And if any person who shall, under the provisions of this clause, have been required by the division officer to perform labour, shall without good and sufficient reason fail or refuse to attend and perform the same at the proper time and place, the division officer shall forthwith report such failure or refusal to the District Committee, who shall make such inquiry into the circumstances as they may deem necessary, and take, or cause to be taken, such proceedings in the matter as shall appear to them advisable. And any such person shall be guilty of an offence, and be liable, on conviction thereof, to any punishment which Police Courts are by law empowered to award, and as shall be imposed by the Court before which such offender shall be tried. Provided always, that it shall be lawful for any person to perform labour when required by substitute.

6. And it is further enacted, that the division officer shall furnish lists of the persons in his division who have elected to perform the labour and of those who have elected to commute the same, and shall pay over all monies received by him, in such manner, at such times, and to such persons as the Provincial Committee may from time to time direct and appoint.

7. And whereas by the 33rd clause of the said Ordinance it was provided that the amount of labour to be supplied under the same for the principal roads, rivers, lakes, and canals shall not exceed two-thirds of the whole amount of the labour due from each district; and by the 36th clause of the said Ordinance it was declared expedient to make provision for the due application of the remainder of such labour as may be most advantageous for the public, and it was therefore thereby enacted that it shall be lawful for the District Committee, with the approval of the Provincial Committee, to apply any such remainder of labour, or any money paid in commutation thereof, for the repair, improvement, maintenance, and formation of any minor road or path, river, lake, or canal within the district. And whereas in many parts of this island the public tanks and water-courses whereon large districts are dependent for the means of irrigating rice-lands have become dilapidated and broken to the restriction or entire suspension of cultivation, and the consequent impoverishment of the village communities. And it may be expedient in certain cases to apply any such remainder of labour, or money paid in commutation thereof, to the formation, extension, repair, and improvement of such public tanks and water-courses. It is therefore further enacted, that it shall be lawful for the District Committee, with the approval of the Provincial Committee, if they shall think fit, to apply any such remainder of labour as in the said 36th clause mentioned, or any money paid in commutation thereof, to the formation, extension, repair, or improvement of such public tanks and water-courses as they may think necessary for supplying the means, or increased means, of irrigation to any tract or tracts of rice-land within their district: and all the duties, obligations, and liabilities imposed by the said Ordinance No. 8 of 1848, or by this Ordinance, upon males resident within this colony, in regard to the performance of labour upon the roads or other means of communication by land or by water therein, shall equally extend and apply to the formation, extension, repair, or improvement of such public tanks, water-courses, and other means of irrigation; and all the powers and authorities conferred by the said Ordinance No. 8 of 1848, or by this Ordinance, upon the several committees and officers appointed, or to be

Division Officer may require production of receipt or certificate.

Provincial Committee to give one month's notice of labour due from any district.

Division Officers to call upon persons to labour.

Penalty on refusal.

Party may perform labour by substitute.

Division Officer to furnish lists as required by the Provincial Committee.

Unappropriated labour may be applied towards the formation and repair of public tanks.

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Provided such tanks are the common property of all the owners of rice-land in their vicinity; And not at a greater distance than seven miles.

Buddhist priests exempted from performance of labour.

Repeal of certain clauses of Ordinance No. 8 of 1848.

Ordinance when to take effect.

appointed, under the provisions of the said first-mentioned Ordinance, for the repair, improvement, maintenance, or formation of any road, river, lake, or canal, are hereby confirmed and granted to the said committees and officers respectively for the formation, extension, repair, or improvement of such public tanks, water-courses, and other means of irrigation as aforesaid, anything in the said Ordinance No. 8 of 1848 in anywise to the contrary notwithstanding. Provided always, that no such labour or money shall be applied as aforesaid for the extension, repair, or improvement of any tank or water-course except the same shall be the common property of all persons possessed of rice-land within the neighbourhood of such tank or water-course, and to be benefited thereby. And provided also, that no person shall be liable to be employed upon, nor shall any money paid by any person in commutation thereof be applied under this clause to any work for the formation, extension, repair, or improvement of any tank, water-course, or other means of irrigation, if the place at which such work shall be undertaken shall be at a greater distance than seven miles from the place where such person shall reside.

8. And whereas it has been represented that the tenets of Buddhism prohibit the priests of that religion performing labour of the description contemplated by the said Ordinance, and forbid the acquisition by such priests of money or other property. It is therefore enacted, that nothing in this Ordinance, or in the said Ordinance No. 8 of this present year 1848, shall apply or extend, or be deemed and taken to apply or extend, to any of the persons commonly known as Buddhist priests; but that all such persons shall be, and they are hereby exempted from the performance of labour under the provisions of the said last-mentioned Ordinance, and from the payment of any sum or sums in commutation of such labour so long as they continue and are known to be Buddhist priests.

9. And it is further enacted, that the 27th, 31st, 38th, 39th, 41st, and 42nd clauses of the said Ordinance No. 8 of this present year 1848 shall be and the same are hereby repealed.

10. And it is further enacted, that this Ordinance shall commence and take effect from and after the promulgation thereof.

Passed in Council the Thirteenth day of November, One thousand eight hundred and forty-eight.

W. C. GIBSON, Clerk to the Council.

Published by order of His Excellency the Governor,
J. EMERSON TENNENT, Colonial Secretary.

Encl. 2 in No. 40.

Enclosure 2 in No. 40.

REPORT of DEBATE referred to at Page 270.

Legislative Council, October 23, 1848.

SIR J. E. TENNENT moved the first reading of the draft of an Ordinance to amend the Road Ordinance of last year and to enlarge its operation so as to include the maintenance and extension of tanks and other means of artificial irrigation.

The amendments are in a great degree technical and affecting matters of detail, attention to which became necessary, owing to the unavoidable delay which recent events had occasioned in bringing the Ordinance into operation throughout the island.

One, however, was of higher importance, its object being to exempt the Buddhist priests from the obligation to labour, or to pay a sum in commutation of it. It is obvious that no slur upon their rank, and no slight upon their functions was intended by the law as it now stood, inasmuch as our own clergy of all ranks are alike included under the obligation to contribute towards the general advantage of the colony. But the Buddhist priests themselves have pointed out a line of distinction on the strength of which they asked for exemption, namely that our clergy and ministers are not, like them, subjected to a religious vow of poverty, and equally prohibited from the possession of money and from labour, as a means of obtaining money. It would not become the Government to institute any rigid inquiries into the strict fidelity with which these vows may be observed; but when once even their abstract existence has been pleaded as a ground of exemption, it became obvious that violence might be inflicted on men's consciences were the obligation enforced, and on these grounds the clause has been inserted which exempted the priesthood personally from the operation of the Ordinance.

Another amendment is that by which it is proposed to include other important public works within the operation of the Ordinance as well as the construction of roads and means of communication. He (Sir J. E. T.) believed that on the propriety of a measure for that purpose there was an unanimous concurrence of opinion, and he certainly was enabled to say that he (Sir J. E. T.) had seen no individual, native or European, official or priest, who did not agree in recommending it. The only doubt which might exist, was as to the expediency and convenience of amalgamating the two objects in the one law now submitted for the consideration of the Council. And on this point, whilst he would gladly defer to the opinions and suggestions of members of larger experience and familiarity with the native character, he was still bound to say that his own conviction was very strongly in favour of the present proposal, and the more so because it was arrived at after a most extensive personal inquiry into the state of public feeling in many provinces of the island, on the subject of this Ordinance.

If there ever was a law passed in any colony which more than another sought to identify individual interests with public advantage, it was the Road Ordinance of the last sessions. But every member was aware that in the unenquiring and unreasoning mind of the natives, the process is necessarily slow, by which they arrive at a perception of the personal gain which results to an individual from the opening for the first time of a great public road. It is only

experience and actual trial of the effect, which, by degrees, leads them on to comprehend the process by which it reduces the cost of production, creates the demand for produce, cheapens the cost of every article of consumption, and gives an inevitable increase to the value of every man's land, and every man's labour.

The Government in framing the original Ordinance, were not insensible of this difficulty to be encountered, and a provision was accordingly made, by which to obviate its inconveniences, and to bring the objects and advantages of the measure more immediately within the comprehension of the native population. In addition to the construction of great highways and trunk-lines to connect and open up important districts, and the making of which the natives might regard in the first instance as an exclusive convenience to the public, (the time not having yet arrived when they could discern its advantages to themselves individually,) it was provided by the 33rd and 36th clauses, that a power should be given to the District Committee, to apply one-third of the gross amount of labour, or of money paid in commutation of labour, to the construction of village roads and paths throughout the country, to connect important village localities.

This expedient was to a great extent successful, and he (Sir J. E. T.) was enabled to say so with more than ordinary confidence, inasmuch as he spoke after personal interviews with natives in hundreds of villages throughout every province of the island. In many instances, especially on the great northern roads which branch from Dambool eastward to Trincomalie, and westward towards Anuradapoor and the coast, the natives along the line, had already by agreeable experience arrived at a clear conception in their own minds, of the increased value which had already been given to their property and labour by the opening of the great north roads, and they expressed their readiness to contribute their labour to complete and maintain them. In the villages remote from these great trunk roads, where the people had only been imperfectly informed of the object of the Ordinance, and were indifferent or opposed to it, under the impression that it contemplated only public roads, they generally expressed their satisfaction when told they would be empowered to claim the assistance and aid of the whole district, in opening of tracts and pathways from village to village. But in every district, without exception, whether the people were in favour of the construction of roads, or insensible to their advantages, there was one universal clamour for the application of this Ordinance for the repair and extension of the tanks and water courses. The more ignorant met him (Sir J. E. T.) by the blunt assurance that they did not want roads, but that they wanted rice, but that if allowed to labour on the tanks and water-courses, they would cheerfully work on the roads also. On the other hand, even the most acute and intelligent, and those most practically aware of the value of roads, met him by the constant remark "of what use can new roads be to us? we have nothing to carry on them; our tank is in ruins; it will only irrigate so many ammonams of land when it might be made to irrigate hundreds more, we have therefore barely enough of rice for our own village. As it is we have nothing to sell, and of what use will the village road be to us, unless you compel the community to restore and maintain the village tank, and thus extend the means of cultivation, and increase the amount of produce."

This state of feeling he (Sir J. E. Tennent) of course felt it his duty to represent to the Government, and hence the insertion of the clause in question in the present Ordinance. Now he would say but one word on the other question, whether, admitting to the full the propriety of enabling the people to undertake these works, whether still it was expedient to amalgamate this provision with the present Ordinance. He (Sir J. E. T.) thought it was. He thought that where objections existed to the Ordinance as it now stands it will go far to remove them, and he believed that it would make it most popular where the people were already well disposed towards it.

It will go far to remove the prejudices of some against the one species of labour on the roads, to which they might object, by identifying with it that which they are proud of and which forms the boasted occupation of their most privileged classes, namely, agriculture and its concomitant works.

But in addition to this, he (Sir J. E. T.) thought there would be inconveniences attendant on attempting this by a separate Ordinance, because as in all probability the new Ordinance would avail itself of the existing machinery, and District and Provincial Committees and officers, it would, he feared, be attended by a complication in the details and working, although the identification would be as complete as if embodied in the same law.

But there was another apprehension which he entertained in its probable effect upon public feeling, as regarded the Road Ordinance itself, were the provisions for the repair of tanks and works of irrigation embodied in a separate law. It is obvious that the latter would be the most popular of the two, and he (Sir J. E. T.) was not without apprehension that by thus setting the two measures in contrast, and almost in competition, misrepresentation and discredit would unavoidably attach to the less favourite one, which might eventually lead to dislike and aversion: whilst their union and identification would add strength and popularity and acceptability to both. He (Sir J. E. T.) with this explanation begged to move the first reading of the Ordinance.

Mr. Selby, in seconding the motion, said, that the general object of the Ordinance had been so fully explained by his honourable friend the Colonial Secretary, that it would be simply necessary for him to refer to two clauses. The first he would mention was that which exempted Buddhist priests from labour or commutation payment. On this subject he would refer the Council to the reports of Sir Charles Marshall, and it was evident that whatever their practice might be it was clearly contrary to the tenets, if not positively illegal for Buddhist priests to hold property.

Here Mr. Selby read the following passage:—

"It seems to be one of the tenets of the Buddhist religion that a man, on becoming a

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priest resigns all worldly wealth; and no longer possesses the right or power of holding property, whether moveable or immoveable, except in trust for his temple, if he be in charge of one. This entire abnegation of earthly possessions however seems not less difficult to be put in practice in Ceylon than elsewhere: and accordingly the Courts furnish numerous instances of priests laying claims to property in their own right, or at least with a very slender colouring of any title on the part of the temples, to veil their own claims." Sir C. Marshall's reports, p. 649.

In the same book under the title "Lands," it appeared, that as a matter of right, no priest, as such and while he continued in the priesthood, could legally possess landed property save in trust for the temple to which he belonged.

The other part of the Ordinance calling for a passing remark was that which provided for the appropriation of one-third of the funds raised under the Road Ordinance to the repair of tanks. He, Mr. Selby, entirely concurred in all that had fallen from the honourable the Colonial Secretary, as to the propriety of making legal provision for the purpose of giving legal effect to the long standing and excellent custom, by which the inhabitants at certain seasons were compelled to repair the banks of tanks and watercourses which helped irrigation. But, while thus fully concurring with the Colonial Secretary on the propriety of such legal provision, he, Mr. Selby, must confess, he was not prepared to concur in the reasons offered for effecting the desired object by means of the Road Ordinance. And he mentioned his objection at this stage because it was, he thought well worthy of consideration, and he could the more properly do so because it could be quite competent for the Council to pass the Bill, leaving out, while in Committee, this portion of it.

He would also throw out for the consideration of the Council, in order that the subject might in the mean time undergo consideration, that Her Majesty's instructions to the Governor, Clause 35th, expressly forbade the mixing up in one Ordinance subjects having no proper relation the one with the other; and with due deference to the opinion of his honourable friend, he, Mr. Selby, thought that the repair of tanks and watercourses had no connection with the improvement of roads any more than any other public works of a local nature, such as the building of schools, or gaols, lighting of streets, &c., which works, though of a public nature, and most useful, ought not, as it seemed to him, to be incorporated with an Ordinance such as that which had been passed last sessions for the formation of roads.

Mr. Selby ended by seconding the motion and the Ordinance was read a first time.

REPORT OF DEBATE referred to at Page 270.

Legislative Council, November 6, 1848.

Having in our last given the order of the day, the various amendments of which notice had been given, and the Governor's "Repeal" speech, we now proceed to give a full and detailed report of the other proceedings of this day.

Our readers will recollect that Mr. Fairholme proposed, and Mr. Smith seconded, an amendment calculated to bring the Road Ordinance into immediate operation.

The Government Agent for the Western Province (Mr. Wodehouse) rose, not with the intention of offering any direct opposition to the motion, as he fully entered into the anxiety naturally felt by the honourable gentleman to see the Ordinance brought into early and general operation. He wished rather to set clearly before the Council the position in which they and the country were placed, and the facts which they ought to keep in view in deciding upon the amendment. They could not but remember that when the Road Ordinance was passed in April last, nearly eight months were allowed for the completion of the preliminary arrangements, which it was hoped would have been effected in all parts of the island before any call was made upon the people for a contribution of labour or money. Six months, however, had elapsed, and almost nothing had been done. Some of the Provincial Committees had been appointed within the last few days, and the principal roads had been proclaimed; but that was all. Almost the whole of the arrangements had yet to be made, and it was clear that they could not by any possibility be completed before January next. If, therefore, the amendment proposed were adopted, the Council must see that operations could only be commenced at various intervals in the different districts, as the preliminary arrangements were completed. He should not be prepared to accede to such a course, except upon the positive assurance of the Government that they were prepared to proceed at once, and with the determination to carry out all the preliminary arrangements in such time as to admit of the Ordinance being worked everywhere before the end of the year 1849. He did not mean that all the labour of all the districts was to be called out in that year, very far from it, but that matters should be brought into such a condition that the necessary labour could be called out everywhere; that, in short, no premium should be held out to those who resisted or obstructed the operation of a law deliberately passed by the legislature of the colony.

But while he was of opinion that the utmost firmness should be exhibited in adhering to and enforcing the principle of the measure, he could not too strongly advocate moderation and conciliation in carrying out the details. He was one who looked to a very gradual realization of the whole scheme contemplated by it, and considered the good-will of the people essential to its permanent success. Nothing would, in his opinion, be more prejudicial than an attempt, in the course of the first year, to call out a large amount of labour; and he trusted that the Government would be content with a small amount for the principal roads during that time. It was also essential that the provincial committees should be enabled, in presenting themselves to the people of the country, to state to them what return the Government was prepared to make for, and what aid they would give to, the labour to be supplied by them. That labour

would clearly be useless without assistance in money for the payment of superintendents, for the purchase of tools, and other like purposes, and he therefore thought that the Government should state to the provincial committees what sum they would be prepared to give out of the general revenue for minor works, in some proportion to the labour to be expended, in order that the committees might be enabled to apportion it in the manner most conducive to the welfare of the people.

He wished also to take this occasion to state briefly his views upon the question of minor roads. He had heard it stated in some quarters that, before bringing this Ordinance into operation, we ought to have been prepared with scientific traces of roads in all directions. This was, he would submit, a total misapprehension of the object of the provision respecting "minor roads." This was looking at the question too much in an European point of view. He feared we had been of late years too much disposed to legislation of that kind, and he was glad to have an opportunity of stating distinctly that he looked upon this provision as one intended almost entirely for native objects, and for the benefit of native interests. It was not the business of the committees to press prematurely upon the people the making of large roads, for which they had no inclination in many cases. It was their duty to awaken them and to keep them alive to the benefits which they must derive from improved means of communication, and so to lead them to come forward and ask for their extension and improvement. It might be said, that to throw away labour upon a native path not properly traced was mere waste; he could not admit it. It was in such case simply a question whether a few men should work for six days or remain idle; and he conceived that if the application of such labour promoted the convenience and comfort of the population for one year it would be well bestowed. With these remarks he would leave the amendment in the hands of the Government and the Council.

Lord Torrington then delivered the address which appeared in our last, announcing the withdrawal of the Dog, Shop, and Gun Taxes.

Mr. Fairholme's amendments were then agreed to without a division, clause 2, on the motion of Mr. Wodehouse, lying over for consideration.

Clauses 3, 4, 5 then passed, with some alterations by Messrs. Selby and Wodehouse.

On the 6th Clause being read, the Government Agent for the Western Province begged to move its omission, and the substitution of one which he would read. He had discovered that the Bill contained no provision for calling out the labour at the time of the actual commencement of the work. It had been provided for by one of the clauses of the original Bill, now proposed to be repealed, and had been lost sight of. He then read the following clause:—

The Government Agent for the Western Province proposes to move in the Committee on the Bill, "to alter in certain respects the Ordinance No. 8, of the year 1848, and to extend its operation to the maintenance of public tanks and other means of irrigation," the substitution of the following new clause for the 6th clause.

And it is further enacted, that at or before the time fixed for the commencement of any work, and at any time during the progress thereof, the division officer shall be and he is hereby authorised to require the persons who have elected to perform labour thereon, to attend and perform the same at such time and place and in such rotation as may be directed by the District Committee. And if any person who shall have elected to commute the performance of labour, shall fail to pay such commutation as hereinbefore provided, it shall be lawful for the division officer, at any time after the commencement and during the progress of the work in respect of which such payment shall be due, to require such person to perform the labour which he had elected to commute. And if any person who shall under the provisions of this clause have been required by the division officer to perform labour, shall without good and sufficient reason fail or refuse to attend and perform the same at the proper time and place, the division officer shall forthwith report such failure or refusal to the District Committee, who shall make such inquiry into the circumstances as they may deem necessary, and take or cause to be taken such proceedings in the matter as shall appear to them advisable. And any such person shall be guilty of an offence, and be liable on conviction thereof to any punishment which Police Courts are by law empowered to award, and as shall be imposed by the Court before which such offender shall be tried. Provided always that it shall be lawful for any person to perform labour when required by substitute.

Mr. Selby in seconding the motion thought it advisable to make one or two observations with a view of preventing the Council proceeding without due consideration to the adoption of a measure of the effect of which they might not be altogether fully aware. The clause as it now stands, provides, that any person who agrees to commute the labour due from him, and does not pay the commutation, shall be fined in a sum not exceeding 5*l*. There the Ordinance, as originally framed, stopped. It gave no power to the division officer to call on the party who, having agreed to commute, failed so to do, to come and perform the labour due by him; and the proposed punishment for the non-fulfilment of his engagement is not one likely to prove of any efficacy. Every person who has had any experience in this country in such matters, knows full well how hopeless it is to expect to enforce the provisions of such an Ordinance as this, by simply declaring that the non-performance of the duty imposed by the law shall subject the offender to a fine. (A laugh.) Many causes operate in such a way as to render the imposition of a fine a merely nominal punishment; and there are hundreds and thousands who will boldly set the law at defiance, when they know that its infraction only subjects them to the chance of a fine. Many have nothing to lose; others know that let the worst come to the worst, they can pay in the end; the evil example becomes contagious; and so it happens that the law is disregarded, and it is obviously impossible that prosecutions can be carried on against the whole, or indeed any large portion of the population. To meet these difficulties it was now proposed to give the Police Courts power to inflict any punishment which fell within their juris-

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diction, upon those who would neither work nor pay. The mere knowledge that the Courts possessed this power would generally be sufficient to deter others from following the example of any who might be disposed to run the risk of setting their authority at defiance. He (the Queen's Advocate) was persuaded that nothing short of a power to inflict real punishment would be sufficient. At the same time, as the consequences of the proposed alteration might affect persons seriously, provision had been made with a view to the protection of those who were only ignorant of the law, or accidentally prevented from doing that which it required from them, such as he (the Queen's Advocate) hoped would prove an ample guarantee against an abusive exercise of the powers conferred. The section therefore provided, that when a case of the nature alluded to occurred, it should be the duty of the division officer, not to commence a prosecution against the offender, but to bring the matter to the notice of the District Committee, who after investigation were authorised to take such steps as the necessity of the case required; so that punishment might only fall upon those who were in truth obstinate and perverse in their opposition to the requirements of the law. There could thus hardly be any abuse of the powers given by the Ordinance, for no case could properly be brought forward by the division officer unless the circumstances had first been investigated by the District Committee.

Mr. Smith moved that as the new clause was of an important nature, and as it might require the consideration of members, it should be printed and brought forward at next meeting. Consented to.

8th Clause.—Mr. Selby thought the recital to this clause would read better if the sentences were transposed. It seemed to him more correct first to recite that under the former Ordinance the unappropriated labour might be applied to the formation and repair of minor roads, and then to go on to state that the tanks had fallen into decay, and to aver the expediency, in certain cases, of applying such unappropriated labour in a different manner from that originally contemplated, namely, to the repair of tanks and water-courses. He begged to say, that this alteration in no way affected the principle of the clause. It was a purely technical alteration; but called for nevertheless, inasmuch as the recital in its present shape did not aver the necessity or expediency of that alteration in the existing law, which the enacting part of the clause contemplated.

Mr. Wodehouse regretted that he could see nothing in the alterations which had just been introduced into the clause, which could induce him to withdraw the motion, of which he had given notice, for its entire removal from the Bill. He objected to it both in point of principle and in point of policy, and he would beg the permission of the Council to offer a few remarks upon the principles upon which the Road Ordinance passed in the early part of the year had been framed and enacted.

When the Government, shortly after His Excellency's arrival in the colony, acting upon instructions from the Home Government, came to the determination of relieving the colony from the very oppressive export duty upon cinnamon, and other burthens, the conviction immediately presented itself, that they must seek in other quarters some compensation for that great sacrifice of revenue, and other means for developing the resources of the country, and they came to the conclusion that an assessment for the extension of the means of communication, accompanied by an attempt at the introduction, in a limited degree, of the principle of self government, might be attended with most beneficial results. He (Mr. W.) would beg their indulgence if he made some remarks on this question of self government, before applying himself to the consideration of the subject immediately under discussion. The attempt at self government was avowedly an experiment, and he believed it had been made in the most guarded manner. There were some members of society who were ardent admirers of elective institutions, and who looked for the most beneficial results from an immediate and extensive application of popular principles of government. He was not prepared to go to that length; but he would say to those who advocated such principles, take advantage of even the limited opportunity here offered you of proving the real value of your opinions. Aid in the preparation and development of the system now introduced. Further the Ordinance to the utmost of your abilities, and thus prove that you are indeed worthy of more extensive powers. There were others, on the contrary, who—over-rating the analogy between this colony and the continent of India; forgetting that we had a large European population; forgetting that we already had Councils, the almost certain forerunners of Representative Assemblies; forgetting that Lord Grey, in the Despatch lately laid before the Council, had alluded to the possibility of the eventual establishment of such Assemblies—were disposed to view with alarm any attempt at self government. To such persons he would say, study the provisions of the Ordinance attentively, satisfy yourselves that every precaution has been taken to prevent mischief from neglect or abuse of the powers conferred upon the bodies created by it, and that the Bill has been so framed as to enable the Executive to resume the whole administration of it, if, unfortunately, the Committees should prove unfit or unworthy, without sacrificing any of the benefits to be derived from the measure.

The most obvious and equitable mode of assessment which had presented itself to the consideration of the Government, was one upon property. But a very little reflection and inquiry had been sufficient to convince them, that to attempt such an assessment in the present state of the law, or rather of the tenure of property in the island, was hopeless, from the simple fact, that in nine cases out of ten there would have been the greatest difficulty in establishing the ownership of the property for the purpose of assessment. The Government had before them, therefore, the alternative of abandoning the measure altogether, or having recourse to a different rate, and they came to the conclusion, that the liability to labour upon the roads should be imposed upon all the male residents of a certain age in the colony. They felt that the same value did not attach to the value of a poor man's labour here as in European countries, but that with a great proportion of those to be affected by the measure, the choice would be simply between

positive idleness and a very trifling contribution for the general good. They felt, moreover, that this measure was for the good of all; that the owners of property might be indirectly benefited possibly in a greater degree, but that there could be no individual in the island who would not derive some advantage from it. It could not, however, be denied that this mode of assessment had most assisted those hostile to the measure, in bringing it into disrepute and thwarting its operation; that they had by it been enabled to brand it as a poll-tax and a body-tax. Such attacks the Government could well be prepared to encounter, while they felt conscious of the rectitude of their intentions, and their firm adherence to the principles upon which they had proceeded. But he regarded the introduction of this clause as a direct violation of the only principle upon which the rating of the whole population could be defended, viz., that the labour was to be bestowed upon works of an exclusively public nature. The assessment upon property had been abandoned because its owners generally could not be ascertained, and because private interests were not intended to be promoted; but in the case of the tanks and water-courses there could be no question whose private interests would be promoted, nor which was the property justly liable to be assessed for their maintenance and improvement. Indeed, if there had been any doubt upon the subject, the clause itself had removed it, for he would beg the attention of the Council to the 39th line, which declared that no labour should be expended unless the tank or water-course were the common property of all persons possessed of rice land in its neighbourhood. He begged to be understood as by no means objecting to legislation on this subject; on the contrary, he was fully alive to the extreme want of it, and was sensible that it would be gratefully received by the people; but he must protest against its introduction into this Ordinance, inasmuch as it permitted of the application of the labour for private interests.

But if this clause were objectionable in point of principle, it was equally so in policy. The Council could not disguise from themselves that since the Road Ordinance had been passed peculiar events had occurred, and serious difficulties might be apprehended at the outset. He was most sensible that they would be in a very great degree removed by the declaration which had just been made by the Right Honourable the Governor as to the line which the Government was now prepared to take upon this and other measures. But he must nevertheless assert that it was most impolitic, before the Ordinance had come into operation, to introduce this additional taxation, for such it undoubtedly was. He could not but think that it had been proposed in some degree under a misconception of the scope of the Road Ordinance. He would entreat the Council to consider that that Ordinance nowhere enacted, that a man must work or pay his commutation every year, but simply that he should be liable to do so if required. It had been said, that in many districts the people would not like to work upon the roads, unless they were allowed to work upon the tanks also, and he could have no hesitation in saying, that if they had so expressed themselves, they had not been made properly to understand the Ordinance and their liabilities. He had heard it said, some weeks ago, that the people of the Eastern Province did not like the measure, and he had replied that it was idle to talk of the objections of the Eastern Province, that they might be said to have no roads, and that if they did not like to improve their means of communication, it was in their power to leave them in their present condition. But this clause brought about a most important, and, in his opinion, most improper change in their position. It at once afforded the means of calling out the whole population for the advantage of private interests, and that in a district in which there would be the greatest opportunities for abuse of every kind.

But he would further urge upon the Council that the subject matter of the clause was in itself far too important to be submitted to such crude legislation. It had been defended as necessary to popularize the Road Ordinance. He denied that it would have that effect; but, admitting such to be the case, it was no proper justification. By its own merits the Road Ordinance must stand or fall. They might be led to suppose that the proposal was altogether a new one, suggested for such a purpose, but he was in a position to remove any such error from their minds. He held in his hand two papers of suggestions made from different quarters, even before the Road Ordinance had been published in the Gazette, containing a similar proposal; and he could say that it had been repeatedly under consideration, and had been finally and deliberately rejected. And why? because it had no proper connexion with the measure, because it involved other rights, other liabilities, and other interests, and because other powers were required for dealing with those interests, rights and liabilities. And now, how was it to be introduced? What reservation was there of existing rights?—None. What power to ascertain those rights?—None. What provision was made for dealing with the new interests which would be affected?—None. What power to enforce even existing customs?—None. The Committees were simply told that they were to exercise the powers previously conferred upon them for the management of the roads; not a word had been said to explain how they were to be efficiently applied, nor even to show that the slightest attempt had been made to ascertain whether they really were applicable.

He would maintain that it was not by such an addition that the Road Ordinance was to be popularized. Far from it. To attain that end he hoped it required only to be known and understood. The declaration they had just heard from his Excellency could not fail to have a most beneficial effect. The people could not but be sensible of the motives which had dictated it, and with its aid he looked with hope and confidence to the successful introduction of this important measure.

Upon the grounds stated, he begged to move the omission of the clause.

Sir Emerson Tennent here rose and said:—After listening to the speech of the Government Agent for the Western Province, he was glad to find it a satisfactory confirmation of the fact, that on the great question itself, the duty and obligation incumbent on the Government to institute measures for the restoration and maintenance of those tanks and works on which the

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food and the very subsistence of the people depend, no real difference of opinion has yet been expressed, either within the colony or beyond it; nor can a doubt be entertained as to the political and social benefits which must follow from such a measure. The only question which has been raised, and that which the Council have now to decide is, whether advantage should be taken of this Ordinance and this opportunity to make a commencement at once, or whether a measure so salutary and important should be deferred till a separate Ordinance, more perfect machinery, and distinct provisions, can be matured for that especial purpose.

On the latter point, with every deference and respect for the views of those who differed from him, he (Sir J. E. Tennent) entertained a strong, and notwithstanding all that had been urged on the opposite side, an unshaken opinion. He considered that so beneficial a measure was not to be postponed on consideration of ordinary difficulties, nor on mere technical grounds. His estimate of its probable effects, even if attempted on a limited scale, was not confined to the one or two points with exclusive reference to which it had hitherto been discussed, namely, as affording an increased supply of food for the population, and an increased amount of revenue to the colony. He could see in it effects much more profound, and influences likely to be exercised on the condition of the people much more important and lasting than the mere addition to their material wealth, or an increase of their ability to contribute to the income of the colony. He believed that it would give an universal and irresistible stimulus to the improvement of private property, throughout the whole of the island, if the public works for irrigation were so restored as to extend and improve the cultivation of other tracts in their vicinity. Private proprietors would not be left behind in such a race of improvement, but would be stimulated in Ceylon, as they had been elsewhere, to emulate the energy of the government, and to augment their own income, by the restoration and extension of their means of irrigation and culture. And above all, an impetus will thus be communicated to the extension of agriculture, which will gradually tend to the eradication of that tendency to sloth and idleness which is now the bane and the curse of Ceylon. Could this be once superseded by a spirit of industry and active exertion, with it would disappear those vices of which idleness is the origin, and which now disfigure and deform the social character of the native Cingalese. These were not mere speculative theories of his own, they were the practical and ascertained results of the same grand experiment elsewhere; and in confirmation of these views, he would recall the attention of the Council to an important document which had been laid on the table at the commencement of last session, and which was in reality the origin of the present Road Ordinance. He meant the despatch from Earl Grey, of the 18th June last, in which his Lordship impressed upon the Governor and Council the importance of this subject; and, in illustration of what might be achieved by the repair of the tanks in Ceylon, he sent, for our guidance and encouragement, a partial report of what had been already effected by the East India Government for the encouragement of works of irrigation in the north-western provinces, and the remarkable effects which, even after a short and incomplete experiment, have been already produced, not only on the material prosperity, but on the moral and social condition of the people.

One of the enclosures of the despatch alluded to was a report from the superintendent of Mhairwarra to the Government Agent of Rajpootana, explanatory of the various works for irrigation furnished by the Government in Mhairwarra and Ajmeer, with a detail of their effects on the morals and condition of the people, as well as on the riches of the district and the productiveness of the revenue. In that report the Agent says:—

“ I have so frequently had the honour, during my superintendence of the Mhairwarra district, to state in my annual reports the measures which have been taken to improve the morals and means of the people, and the agricultural resources of the tract, that I am not aware that any new features call for a lengthened detail. Our measures for the improvement of the country have been steady, fixed, and systematic. The main object of solicitude on my coming into office, was to win the people from their pristine predatory habits, to assist them, through the force of persuasion and with pecuniary loans, to take to habits of industry; and, in a word, to make agricultural labour, and the tillage of their own lands, a matter of ambition, alike palatable and remunerative. The chief consideration was to furnish them with the means of obtaining their livelihood in an honest manner, to give them constant employment in the cultivation of the khureef and rubbee crops, so as to obviate idleness, and prevent the possibility of their proceeding to a distance to gain their food illegitimately; and to punish all offenders against the law, not through a course of gaol discipline, but by making them perform a certain work—the sinking of a well, foundation stone of a dyke, or small zumeendaree embankments, according to the nature of their land; thereby improving their own fields, as a punishment for their offence, and removing, through the force of industry, the want which had led them to appropriate other people's property to their own peculiar use. In cases of this nature, where poverty was palpably the root of the evil, pecuniary aid was accorded. In this manner all the idlers in the villages were provided with means of working out their own subsistence, by receiving advances for the purchase of cattle for ploughs. Had Mahairwarra been a plain, intersected by rivers or nuddees, flowing with water throughout the year, and the seasons had been as congenial and steady as those in the provinces, the aid thus afforded, with just and moderate assessments, and a ready hearing to all matters urged by the zumeendars, would have been sufficient. Our position is the reverse of the above. The tract constitutes the range of hills and elevated ground which divides the waters between the Bengal and Bombay presidencies. From our elevation, we are only benefited by the rain which immediately falls in the district; and, in regard to seasons, owing to the proximity of the desert, the distance alike from the sea and the Himalaya mountains, the fall of rain is generally so slight that a good rainy season is rather an exception than otherwise.

"Under these circumstances, it became necessary to call in the aid of artificial works to retain the rain water for agricultural purposes, so as to obviate, as far as was practicable, the inconvenience arising from drought. In this view the principal nullahs and water-courses have been dammed up by embankments. In carrying through the measures for the improvement of the district, my labours have been much facilitated by the liberality of Government in meeting all requisitions of pecuniary outlays, in the construction of public works. The wild tribes, convinced of the liberal intentions of the Government, and that the amelioration of their condition was the chief object of solicitude, took kindly to work, and have now, perhaps, become more diligent and industrious than any state around. Mhairwarra, which a few years ago was dreaded by neighbouring states, on account of its predatory excursions, has now become tame, docile, and industrious. It has become, from its tranquillity and industry, a pattern to our neighbours in Rajwara."

These were the effect of increased opportunities for industry upon the character of the mass of the people, but mark further the effect produced by the same measures, in communicating a stimulus to the improvement of private estates, and of property generally.

"Already," says Major Dixon, "have the chiefs of Marwar, Aleywar, and Heymere, bordering on this district, profited by the example shown to them; all have more or less come to consider the improvement of their estates as a matter of the first importance. Two instances deserve particular notice: the Thakoor of Musoda in Ajmeer assured me two days since that he had completed 52 tanks on his estate during the last six years, whilst the Thakoor of Khirva in the same district has completed nearly 40. The result demonstrates forcibly the utility of Government taking the lead in matters affecting the general improvement of the country." The Agent then proceeds to say, that the condition and general morals of the people having undergone so marked an improvement, it will be instructive to see at what outlay on the part of the Government so much has been effected, and what has been the result in a pecuniary point of view; and he accordingly attached a statement exhibiting the sum which Government has expended on the embankment of tanks during six years, and the return of the revenue for the same period, by which it appears that by an expenditure of 80,597 rupees, an increase had been effected in the revenue of the province to the extent of 282,816 rupees, "or in other words, that with the Government large works, the small ones constructed by the zumeendars, and the general impetus thus given to the agriculture, our outlay had been returned to the extent of 350 per cent."

Satisfied, then, as the Council universally were, of the reality of these advantages in prospect, the question now to be determined on was, whether we should commence at once the attempt to secure them by passing the present Ordinance, including a provision for this purpose, or whether that clause should not be expunged from the Bill, in order to become the nucleus of separate legislation at some indefinite period hereafter? Its retention had been objected to on two grounds; the Queen's Advocate on a former occasion had taken exception to it on a technical point, that from want of analogy and identity of nature between the purpose for which it is intended, and the objects contemplated by the rest of the Ordinance, it would be a violation of the royal instructions to include it. The objections urged by the Government Agent for the Western Province, who had moved its omission, were of a more important class, and implied apprehensions of embarrassment to the working of the whole measure, if the two objects were combined in it. He (Sir J. E. Tennent) would address himself first to the objection of the Queen's Advocate, and he hoped to satisfy that gentleman that the apprehensions which he entertained were neither substantial nor sufficient to require the expunging of the clause. His (Mr. Selby's) opinion was, that the construction of the village roads, and the repair of village tanks, are subjects having no proper relation to each other; and that it was therefore incompetent to the Council to include them in the same Ordinance consistently with the 35th clause of the Queen's instructions, which has an injunction to that effect, but which, in the spirit and practice of the Legislature at home, modifies it by an addition overlooked by the Queen's Advocate, that matter is admissible if not foreign to "its professed scope and object," that is, matter not omitted from its title.

This regulation, which is borrowed from the practice and orders of the British Parliament, is a most important and useful one; but a very brief explanation will show that it in no degree applies to the present case. It was originally passed, in order to check a practice which had obtained largely in the Parliament of Ireland, and later in that of England also, by which, especially towards the close of a session, it had been permitted to thrust into one Bill, in the last stage of its progress, a clause for some totally distinct object which required unexpectedly to be provided for, but which it was then too late to pass through all its stages in the form of a separate Bill. This, though originally perhaps a convenience in itself, led to serious inconvenience in practice, as well as to jobs and improprieties of all kinds, pensions and private provisions for individuals were slipped into Turnpike Acts, and smuggled through in Harbour Bills, not only to the public injury, but to the defeat of all ordinary scrutiny, and the confusion of all practice in administering the law, as no one knew where to look for such enactments, or how to protect themselves against surprises by such legislation. To put an end to this, the British Parliament required that the subject matter of every Bill and Act should, as far as possible, be consistent in itself.

But well knowing that this was not practicable in every case, and that in certain classes of Bills, the provisions must necessarily be most multifarious, and the objects provided for most incongruous, a simple and effectual provision is made for such cases by merely requiring that the title of the Bill shall fully and honestly describe its contents. For example, the Committee of a Police Bill or a Stamp Ordinance, or of an Act for defining the functions of a Municipality, as regards the paving, the lighting, the watching and watering of towns, are all of them objects

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totally dissimilar and distinct, yet being conducive to one and the same end, and confided to one and the same agency, the Legislature affords every facility for such legislation, by the simple precaution of making the title of every Bill the very last item which is to be settled, and insisting on its being a perfect index to the objects in contemplation, and that it shall be altered in conformity with any new provision which may have been inserted in the progress of the Bill, and not fully described by the original heading. Now, this is precisely the course adopted here. A municipal body has been formed by the Road Ordinance of last year with functions of one peculiar class, in consistence with which the original title was prepared. New and additional functions, not identical in form, but identical in their object, are now proposed to be devolved on the same body; and in order to give every intimation to the people, and to conform with the rule of British legislation, the title has been so altered as to include the additions proposed, and to define fairly and fully the scope and object of the amended law.

He (Sir E. Tennent) was not going into any exposition to show to the Queen's Advocate, that there was no more inconsistency, between requiring the District Committee under this bill, to repair a village tank at the same time that they have power to repair a village road, than there is between enabling a municipal council in England to pave a county town, and at the same time to supply it with pipe-water, or light it with gas—all of which is done under one and the same Act of Parliament, he would come at once to a point which may decide the question; namely, to the opinion of the Secretary of State; by whom the Ordinance must be finally approved and confirmed, and by whom it would of course be rejected, were it to exhibit such an anomaly as that apprehended by the Queen's Advocate, or such a confusion in its provisions as would be inconsistent with the Queen's instructions on that point. It had of course escaped the notice of his learned friend, that the Council were already in possession of Earl Grey's opinion, as well as that of a commission of Her Majesty's Government, upon the very point raised by him, and that they entirely and, as if by anticipation, removed every objection which he has taken to the insertion of this clause.

The scheme of internal policy for Ceylon which Earl Grey has laid down in those papers, contemplates a land tax as the aim and object of all our financial measures; but he and the commissioners very properly remark "the productiveness of the land tax will depend on the extension of cultivation, and this again must be very much affected by the extent to which the country can be opened up by roads and other means of communication"—and for the accomplishment of these objects they direct the establishment of local bodies assimilated as far as may be to the municipal councils of Canada and the Cape of Good Hope, to be entrusted with the management of local concerns, and especially with the care and maintenance, "not of roads merely, but of public works, and invested with a power of local assessment for purposes of this nature." Out of these instructions, and similar suggestions from former Secretaries of State, grew the present Road Ordinance and the municipal bodies to be created under it; and Earl Grey's orders are, in this despatch, that to them should be entrusted the formation and care of the roads, "limiting their functionaries in the first instance to the construction and maintenance of the subordinate lines of communication and leaving the great trunk roads to be maintained by the Government." This is to be the first duty of these bodies; and the Secretary of State says he only hesitates to say what proportion of the public revenue should be contributed to assist the local committees to carry them on, because they say "there are analogous services to which we shall presently refer, not less in importance to the well being of the island, and which will claim a share of the surplus revenue," and in the next paragraph the Commissioners continue, "the service of an analogous nature to which we have referred above, as not less important (than roads) to the well being of the colony, is the repair of tanks and other means of irrigation;" and they then proceed to recommend, and on their recommendation Earl Grey has issued his instructions to the Government, that along with the care of the roads, the repair of the tanks should be confided to the new municipal bodies; that "Government, should lend its assistance and co-operation with the natives * * * that the present time is favourable for the measure, and that it would be impossible in any scheme for the development of the resources of Ceylon to leave out this most important question."

Earl Grey therefore directs that, "every inducement shall be held out to the natives to co-operate with the Government for the repair of the tanks; and that the maintenance of the tanks when once repaired, shall be entrusted to local authorities, subject to the inspection and control of the Central Government." The Commissioners then proceed to point out the other functions which should devolve on the local committees, and as "intimately connected with the improvement of roads and the repair of tanks," and they recommend especial attention to the encouragement of immigration and the location of settlers from the coast of India.

This despatch of the Secretary of State must have escaped the notice of the Queen's Advocate when his objection to the nature of the clause arose in his mind, but he (Sir J. E. T.) was satisfied that this explicit declaration would have removed every apprehension on the grounds he had suggested; and that it will, at the same time satisfy the Council, that the insertion of this most important provision, was entirely in accordance with the instructions of Her Majesty's Government, who had already so emphatically declared it to be "impossible to leave it out in any measure for developing the resources of Ceylon."

With this very decided authority for its introduction, it would perhaps be unnecessary to follow in detail the other arguments adduced by the Government Agent for the Western Province, (Mr. Wodehouse), for the omission of this clause. He (Sir J. E. T.) had stated on a former occasion, in moving the first reading of the Bill, his reasons for believing that, so far from embarrassing the working of the Ordinance in these particulars, it would mainly facilitate it; by showing to the natives, how intimately their individual advantages were blended with their public interests as a community; and by convincing them by experience that there was a close

analogy, and an intimate relation between what they have hitherto looked on only as a Government measure—the opening up of their country by roads—and that which alone they have been accustomed to regard as a private interest, namely the extension of cultivation consequent on the restoration of the tanks. He (Sir J. E. T.) was not insensible to the many difficulties some of which had been pointed out by Mr. Wodehouse, and all of which would suggest themselves, when the measure came to be carried into execution; but they were none of them of such magnitude as to be insurmountable, individually; or of such weight in the mass as to call for a suspension of our policy. Fresh provisions could be made as difficulties were discovered to obviate or remove them, for it would be vain and idle to suppose that this Ordinance in any of its parts was as yet perfect, or that so great an experiment could, by any foresight, be so successfully launched by one single effort, as to achieve its object without reconstruction in some particular, or subsequent amendments to secure its efficiency and success.

It was a measure to be attempted, not with hope and expectation alone, but with caution and circumspection; and when questions such as Mr. Wodehouse apprehended arose, when titles were questionable, and private interests in doubt, then it would behove the District Committees and local authorities to abstain from interference, and to seek the advice and assistance of the Government, as suggested by the Secretary of State; but to shun, with extremest caution, the chance of defeating or embarrassing the clear and obvious functions of the law, by attempting any works of questionable utility or doubtful rights.

If attempted with these precautions, and carried out in this spirit, he (Sir J. E. Tennent) saw no grounds for apprehending confusion or inconvenience from the concurrent accomplishment of the two objects; but, on the contrary, he could see in this single clause, the germ of a great measure, which would hereafter be expanded by cautious and well-directed treatment, and which, in its ultimate and full development, will be the medium of diffusing industry, and all its plenteous blessings, throughout the length and breadth of the island. And now that the intention of the Government had been promulgated through the “Gazette,” to confer on the natives this boon, so long and so earnestly desired, he would entreat the Council not to dash the cup from their lips, but to make, at least, a commencement in a line of policy so calculated to confer benefits on the native population, and to reflect honour upon those on whom Providence had devolved the task and responsibility of the Government.

Mr. Selby, in replying to Sir J. E. Tennent, said, when he (the Queen’s Advocate) came down to the Council to-day, he had no intention of offering any observations to the Council upon the question which he threw out for consideration, with reference to this clause on the first reading of the Bill. At that time he thought himself entitled, nay bound, to indicate his opinion, with a view to its consideration by the Council, before the matter was discussed in committee, that the insertion of this clause in an Ordinance brought in to amend the Road Ordinance passed last session, was not in conformity with that provision in Her Majesty’s instruction, which directs, that subjects which have no proper relation to each other, shall not be comprised in one and the same Ordinance. Having thus discharged what he then considered to be his duty, he had not proposed to himself addressing the Council further in relation to the present clause; but after the unexpected manner in which the observations he formerly made had been commented upon by the Colonial Secretary, he could not, in justice to himself, remain altogether silent. His honourable friend had thought it necessary to remark, in a somewhat pointed manner, on a passage from the instructions, which he says, he (the Queen’s Advocate) omitted to read to the Council. He was quite correct in saying that he (the Queen’s Advocate) did not read this passage. He (the Queen’s Advocate) did not do so, for the simple reason, that in his opinion it had no bearing on the question, but related to a totally different matter. The words which he omitted to read are these, “and that no enactment be introduced in any such Ordinance which may be foreign to its professed scope and object.” They follow that passage which he (the Queen’s Advocate) did read to the Council, and are quite distinct from it. The passage which he referred to is as follows, “and you are to observe, that subjects which have no proper relation to each other, be not comprised in one and the same Ordinance;” and then came the words which the Colonial Secretary says were omitted. But the Council would observe, on looking to the clause in the instructions from which these quotations were made, that it contains a variety of rules, independent of each other, relating to the course to be followed in the preparation of Ordinances; for instance, it provides that they are to be divided into successive clauses; that each clause is to have in the margin a short summary of its contents, and so on. These rules also he (the Queen’s Advocate) had omitted to read, for the same reason that he did not read that to which the Council had been referred by the Colonial Secretary.

The Colonial Secretary had contended, with much force, that there is nothing in the 8th clause of the Ordinance, now under consideration, which is foreign to the professed scope and object of the Bill. But he (the Queen’s Advocate) never said that there was. Indeed, if the Council only looked at the preamble and the title of the Bill, they would be satisfied that the clause in question is only carrying out what the preamble declares to be one of the objects of the Bill. But, although it was quite true that the enactment in the 8th clause is not foreign to one of the professed objects of the Bill, it by no means followed that in adopting the course proposed by the Colonial Secretary, the Council would not be legislating in the same Ordinance in reference to two subjects having no proper relation to each other. The rule laid down in the instruction which he (the Queen’s Advocate) read, had referred to one thing, that which he did not read to another; the former prescribed that two subjects should not be comprised in one Ordinance, unless they properly related to each other. The latter provided against the insertion of clauses, in the manner which the Colonial Secretary says was formerly much practised in Parliament, which are foreign to the professed scope and object of the Bill.

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The question then presents itself, whether he (the Queen's Advocate) was correct in the opinion he had expressed, that by inserting this clause respecting tanks and water-courses, in the Ordinance which has been introduced in order to make certain amendments in the Road Ordinance passed last session, the Council would be legislating in one and the same Ordinance on two subjects which have no proper relation to each other? Notwithstanding the arguments adduced by the Colonial Secretary, he (the Queen's Advocate) confessed his opinion remained unaltered. His honourable friend had referred to several instances of well known legislation, in which he says, that many subjects having no proper relation to each other are comprised in one law. The Queen's Advocate would mention one or two of them, because he drew a different conclusion from those instances. The first example which he would notice was that of the Stamp Act. The Colonial Secretary contended, that a variety of different subjects, having no relation to each other, are usually comprised in these laws; and the Queen's Advocate had observed, that one of the local newspapers had made use of the same argument. But with the greatest deference to the authority of his honourable friend, he (the Queen's Advocate) was constrained to dissent from his views on this subject. It appeared to him (the Queen's Advocate) that the object of a Stamp Act being to raise a revenue by means of the imposition of a duty on written instruments, it was perfectly in accordance with the rule laid down in Her Majesty's instructions, which he had quoted, to include in it all instruments, however much they might differ in their nature, whether they are agreements, bills of exchange, licenses, receipts, or what else, which were to be made subject to stamp duty. The law, indeed, treats but of one subject, and that subject is the imposition of a stamp duty on a variety of instruments: and it would be most inconvenient and absurd to have a separate Stamp Act for each separate class of instruments which were to be made subject to duty.

So also, in regard to the Municipal Acts, referred to by the Colonial Secretary, in support of the opinion which he entertains. They contain regulations doubtless as to a great variety of matters, such as maintaining a police, establishing markets, cleaning the streets, supplying water, and so forth. But all these are powers conferred for a single object—the local government of the municipality; and though the acts to be performed by the municipal bodies are various, they all have relation to this one common subject. The subject of the law is the establishment of local government by means of a local body; its object is the regulation of matters of a public, though local nature, by means of a local government self appointed; its details are necessarily various.

Now the Ordinance passed last session was not a municipal Ordinance. Had it been there could have been no objection to the insertion of a clause giving the municipality powers over the public tanks and water-courses within its limits. It was distinctly and explicitly an Ordinance to provide for the formation and repair of the public roads throughout the island.

The instances then brought forward by his honourable friend had in no degree altered the opinions he, the Queen's Advocate, formerly entertained. Nay, on the contrary, he was bound to say, that what he had this day heard had confirmed that opinion.

Neither did it appear to him (the Queen's Advocate) that there was anything in the document from which his honourable friend so largely quoted that was opposed to the view he had taken. That document is a very able report to the Secretary of State on the financial condition of this island by certain gentlemen in England, but it is not, as the Colonial Secretary supposed, the despatch of the Secretary of State. Earl Grey may have adopted many of the statements contained in that report, but the Queen's Advocate conceived his Lordship never intended that the statements it contained were to be received by this Council as a rule which it was bound to follow. It had been sent to this Government as an indication of the general views entertained on the subject by the Secretary of State, and to assist the Council in the work of legislation, but not, he (the Queen's Advocate) imagined for the purpose of being received as an authority which the Council was bound to follow. He could not forbear on this subject reading a passage from the despatch forwarding the report alluded to, which he thought was conclusive on this head.

"You will consider the report of the 13th April, 1847 as expressing in general the views which Her Majesty's Government entertain as to the course which ought to be taken for improving the revenue of Ceylon, and for the application of it towards many public works of the highest utility; but your Lordship will understand our concurrence not as absolute and unqualified. It is impossible but for the distance which separates us from the scene of action, and our want of personal acquaintance with the country in which the proposed changes are to be made, should leave us open to many sources of error which no vigilance could entirely detect, and which no industry could altogether surmount."

Looking then to the report which the Secretary of State had transmitted for our information, to see what light it threw upon the subject he was considering, he (the Queen's Advocate) found in it a passage which, he submitted for the consideration of the Council, went far to support his views:—"The obvious remedy" (that is, for certain evils resulting from the centralization of government) "is the establishment of local bodies to be entrusted with the management of local concerns, and especially with the care and maintenance of public works, and to be invested with a power of local assessment for purposes of this nature. Whether the state of society of Ceylon would admit at present of the establishment of such bodies we are not prepared to say, nor under any circumstances should we attempt to enter into any detail of the manner in which such bodies should be constituted, being aware that in a scheme of this description minute local knowledge is indispensable. But we think it would be right to call the attention of the Governor and Council to this question, and to refer them to the municipal council established within the last few years in Canada, and at the Cape of Good Hope, as models for similar institutions in Ceylon, whenever circumstances should admit of their introduction."

Now it so happened, that he (the Queen's Advocate) resided at the Cape of Good Hope when the municipal bodies here spoken of were first established; and they were for several years in full operation before he left that colony. He was bound to say that he had every reason to believe that their establishment was attended with the greatest public good. These municipal bodies took over from the general Government all matters connected with public works of a local character; but it is a fact of much significance in relation to the present subject, that in that very colony the public roads are maintained, and all matters connected with them are regulated, under the provisions of a separate Ordinance, having sole and especial reference to that particular subject.

There is an Ordinance there establishing municipalities; and there is another Ordinance for the formation and repair of the public roads throughout the colony. In truth, what had a municipality to do with any works of a public nature which were not within its own limits? and how necessary was it to have a general measure for the regulation of all matters connected with the public roads?

The Council would not, he (the Queen's Advocate) trusted, suppose, for a single moment, that because he raised what had been stigmatized as a "technical objection," that he did not think very great advantages would result to this island from a well considered measure relative to cultivation generally. And still more should he regret that any one should suppose that because he could not look upon the Road Ordinance as a municipal law, that he was opposed to the establishment of municipal bodies. If the Council thought (as he confessed he did) that municipal bodies should be established in the principal towns, and even in some of the larger villages, he (the Queen's Advocate) was ready to devote whatever ability he possessed to the accomplishment of that object. Only let it be done properly. The arguments of the Colonial Secretary had surprised him; for, as he (the Queen's Advocate) apprehended, municipal bodies governed by means of a local assessment, and for the attainment of local objects, whilst the Road Ordinance related to all the public roads in the island, and were to be made and repaired by means of a general tax upon the whole adult male population.

He (the Queen's Advocate) abstained altogether from making any observations whatever on the policy of the proposed clause. He had only attempted to defend himself from an attack which he confessed was somewhat unexpected, seeing that on the first reading of the Bill he (the Queen's Advocate) had merely thrown out for consideration what struck him as a matter deserving of serious attention. He did not anticipate that he should have been called upon to defend that opinion to-day; but as the course had been unavoidable, he had offered these observations for the consideration of the Council. Whether they concurred with him (the Queen's Advocate) he knew not; but he confessed, for his own part, that notwithstanding the eloquence and learning which had been brought to bear on this point by his honourable friend, he had not been able to satisfy himself that the opinion formerly expressed was erroneous.

Sir E. Tennent said his observations on the opinion of the Queen's Advocate had been limited to one point alone—namely to correct his impression that there was a want of that analogy and common relation between the two objects, without which it would be irregular to include them in the same Ordinance. As a higher authority than his own, he (Sir E. Tennent) had adduced that of the Commissioners on Ceylon Affairs, adopted by Earl Grey, and he would again invite his (Mr. Selby's) attention to the passage where it is expressly declared that "another service of an analogous nature (to the construction of village roads), and not less important to the well-being of the colony, and which it is impossible to leave out in any measure for the development of its resources, is the repair of tanks and other means of irrigation."

Mr. Swan rose to reply, and said he conceived that if this clause of the Ordinance was passed as it stood, and its provisions were afterwards energetically carried out, it would go far to remove two of the greatest clogs to industry and enterprise in Ceylon, namely, the necessity the colonists now laboured under of importing so large a portion of grain, and of being dependent on foreign labour for carrying on their agricultural operations; the good that would be effected by the repairs of these tanks might not be immediate, but would, in the end, lead to the great desideratum of establishing a resident labouring population, and thus to greatly reducing the cost of labour; and, with the most profound respect for the opinions of the honourable the Queen's Advocate, he could not see that the repairing these tanks in the manner proposed was in such direct opposition to the 35th clause of Her Majesty's instructions for his Excellency's guidance, which merely ordered that nothing should be introduced into any Ordinance foreign to its scope and object; and he contended that the proposed clause was not opposed to the scope and object of the ordinance, which was to improve and extend the communications of the island; that by repairing these tanks great provision was made for the purpose, the one would follow the other as the light follows the darkness, that the population would, in all probability, be largely increased, that granting the people this boon, was to give them muscle and sinew, and heart for the road labour, and that it was "heart" only which was required for it.

Mr. Armitage said, that if the employment of surplus labour on the tanks had been compulsory on the District Committee, he should have felt bound to vote with the Government Agent, but by the terms of the clause, the District Committee could not apply any labour to tanks without the approval of the Provincial Committee, and it was not likely the Provincial Committee would give their sanction without the approval of Government, who were pledged to caution in the enforcement of the Ordinance. He should, therefore, vote for the clause. It was not a new principle for Government to repair the tanks. Under the native dynasties, the tanks were under the immediate charge of Government; and in an essay published by the late Mr. Turnour, in 1833, the present deserted state of the northern and eastern provinces was attributed to the neglect of the tanks during the time that the island was desolated by intestine wars. Turnour distinctly said, that after the native sovereigns were driven to seek

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shelter in the fastnesses of the central province, there was no power that could enforce the repair of the tanks, that these tanks were not scientifically constructed, having no outlet for superfluous water, and that they therefore went speedily to ruin, and all the land they had before irrigated became a useless waste. This island had now been in the hands of the English for half a century, and not a step had been taken towards repairing the tanks, though, if repaired, they might again make Ceylon the granary of the East, and it was time something should be done.

As regarded incongruity between the two objects for which the present Ordinance was enacted, he did not see it. The Queen's Advocate said there was no incongruity in the Stamp Ordinance; since, though its provisions related to a variety of matters, it had for its scope and object to raise revenue by means of certain instruments. Well, here was an Ordinance, having, in like manner, for its scope and object, to increase the national wealth by means of certain instruments, viz., "tanks and roads." There was as much incongruity in one case as in the other. (Hear! hear! from Sir J. E. Tennent). But it could not perhaps be expected that the Queen's Advocate should vote for the clause, since if the Crown lawyers at home should after all be of opinion that the objects were incongruous, all the responsibility would fall on the Crown adviser here. But the other members of Council had no such responsibility pressing on them, and if the objects of the clause were good he thought they ought to support it.

Mr. Fairholme supposed that this clause was either intended to be effective or it was not. If it was not, then he could not help considering it to be unfairly holding out hopes to the natives which would not be realized. If it was intended to operate, he could not discover in the Ordinance No. 8 of this year, any powers given to District or Provincial Committees which would enable them to interfere with private property in such a manner, and to such an extent as would be unavoidable in the carrying out of the clause under consideration.

Mr. Buller, Government Agent, Central Province, stated that the people were most anxious for the operation of this clause; private roads opened where no regular traces were made (of which Mr. Wodehouse had spoken) were surely as much private property as tanks (Hear! hear! from Sir Emerson Tennent). [Here Mr. Buller blundered a good deal about people being forced to go 20 miles to work on private roads, exposing himself to a remark from Mr. Wodehouse, that he ought to make himself acquainted with the Bill before discussing it, which excited some laughter.] The advantages to the people would be very great, and, after all, it was only the unappropriated labour that would be employed on tanks.

Mr. Wodehouse did not intend to trouble the Council with many observations in reply to the eloquent address of the honourable the Colonial Secretary, and the remarks of other honourable gentlemen. They had all tended to demonstrate, what he had at the commencement admitted and insisted upon, the propriety of legislation respecting cultivation, and the benefits to be derived from the restoration of the tanks; they had not proved the propriety of their introduction into this Ordinance; the Colonial Secretary indeed had shown that for many months he had been most fully alive to the importance of this subject, that he had the means of acquiring the information necessary for legislation, that he had lately travelled through the districts where the tanks were most numerous, and where he could best have ascertained how the subject could be treated, and that he had done, what?—Nothing! The honourable gentleman had pressed upon the Council that the natives looked with the utmost anxiety for this addition to the Ordinance. Where was the evidence? He had also urged that the Council and the country had not been taken by surprise in the present instance—that no opposition had been exhibited. He (Mr. Wodehouse) would beg them to remember how different had been the course taken with the original Road Ordinance: his Excellency had left it for weeks before the public, even after it had been read a second time; the present Bill, on the contrary, had been brought under consideration immediately after the expiration of the time fixed by Lord Grey, and there was upon the table but one document of any description bearing upon it. It, however, came from the very best quarter, the Government Agent for the Northern Province, and he would trouble the Council with one or two extracts. In one place Mr. Dyke, speaking of this clause, said, "With every desire to further such works, I cannot see how this provision can be reconciled with consistency and fairness." And again, "It seems to me to be unfair to the community generally, that a tax imposed for such an unmistakeably general public purpose as the construction and repair of roads, should admit of being satisfied by any section of the community by the improvement of their particular landed property." Such were the expressions of opinion respecting this clause in the only document produced on the occasion, and, fortified by them, he had the less hesitation in persevering in his opposition to it.

The Auditor-General (Mr. Macarthy) said, that he was afraid the discussion on this subject of tanks was assuming a form which might lead to much inconvenience and misapprehension. He could not see that there was necessarily the antagonism between the two sides of the question which might be presumed if the Council were to divide upon it forthwith. All parties were agreed on the necessity of some measure for the restoration of these great instruments of fertility; all concurred in the sentiments so ably and fully expressed by his honourable friend the Colonial Secretary. Difficulties had however arisen, not as to the question itself, but as to the method of dealing with it; and he confessed that the objections put by his honourable friend the Queen's Advocate, and the Government Agent for the Western Province, had struck him very forcibly. Under these circumstances, he was anxious to guard against all misapprehension on the part of the Council as well as of the public. Such misapprehension might, he feared, very easily arise. Gentlemen voting like himself for the Ordinance as it now stood might be erroneously represented as voting without any regard to the important objections raised by the two honourable gentlemen whom he had just referred to. Those again who voted against the clause altogether might with equal injustice be represented as voting against the principle, that is, against the important measure of providing for the restoration of tanks

and water-courses. He would therefore submit, whether it would not be possible to meet this difficulty, and reconcile what he could not but consider as merely an outward and unessential difference. The details of this measure had from the beginning been so ably worked by his honourable friend the Government Agent for the Western Province, and so much attention had been paid by that gentleman to arrange its provisions in a practical and satisfactory manner, that he (the Auditor-General) could not but hope that means might be found by him, in conjunction with his honourable friend the Colonial Secretary, to attain this object, either by the immediate enactment of this 8th clause as a separate Ordinance, or in any other way that might be agreed on between those gentlemen. He (the Auditor-General) made this proposal in a spirit of harmony and with a view to practical effects, and trusted the Council would receive it in the same spirit.

Sir E. Tennent had entered fully into his reasons for combining the two objects in one Bill when moving the first reading of the Ordinance, and that was in fact the only point in discussion. He was sorry his observations had not met the ear of his honourable friend (Mr. Macarthy), as their whole gist was to show that their promulgation in separate Ordinances would have the effect of placing the two objects, one most popular and the other much less so, in a position of rivalry and contrast, which would all but defeat the operation of the less favourite one; whilst such a step would have the effect of doing openly and avowedly that which was urged as an objection to the clause, that it had the appearance though not the reality of being indirectly—namely, imposing a new tax.

Mr. Wodehouse would be most happy to see the adoption of the course recommended by the honourable the Auditor-General, and would gladly lend any assistance in his power in the preparation of a separate Bill, in which he had no doubt of meeting with the cordial co-operation of the Queen's Advocate.

Mr. Selby entirely agreed with what had fallen from his honourable friend the Auditor-General. He considered the course which had been suggested the most expedient one. It might not be known to all the members of Council that cultivation had fallen off in many parts of the island, not so much from the tanks and water-courses having got out of repair, as because the machinery formerly employed for the purposes of cultivation generally, had been in a great measure destroyed when Rajakaria was abolished. The officer whose business it formerly was to superintend the cultivation of paddy lands, and who in the maritime provinces was called the Vel-vidahn, had now no power to enforce his orders. In ancient times, it was his duty periodically to see not only that the people repaired the water-course which brought the water to their lands, but also that their own portion of the general cultivation was attended to, and their own particular sluices, embankments, and fences were put in order. He (the Queen's Advocate) certainly thought it would be most desirable to embrace all these objects in one Ordinance.

Lord Torrington, after the protracted discussion which had just taken place, was unwilling to dwell upon the subject at any length. His honourable friend the Auditor-General had remarked upon what appeared to him to be a certain degree of antagonism in the views entertained by some of the honourable members who had spoken; and he proposed to reconcile this difficulty by recommending that some of the members should consult together privately, with a view to frame a separate Bill for attaining the object in view, viz., the repair and restoration of the tanks.

No doubt at some future time a separate Ordinance might very properly be framed, but the advantage to be derived from including the tanks in the present Bill need not be lost sight of in the meanwhile. If the District Committees do their duty properly and cautiously, the present Ordinance would work well. A highly-intelligent gentleman, who had travelled with the Colonial Secretary through various parts of the country—Dr. Gardner—concurred entirely in his views with regard to the importance of the tanks, particularly in the neighbourhood of large villages. Lord Torrington dissented entirely from the idea entertained by the Government Agent for the Western Province, that the extension of the provisions of the Road Ordinance to the repair of tanks might be regarded as equivalent to the imposition of a new tax. He was utterly at a loss to understand how it could be so misconstrued.

It must be perfectly well known that no man could be called upon under the Ordinance to work for more than six days, or pay any commutation greater than three shillings. But he did not wish to argue on the supposition that any very great or immediate results upon a large scale would follow from the application of this Ordinance to the repair of tanks, but it would point out to the people what were really the wishes and intentions of the Government upon this subject. So far he anticipated that much good would result even from the discussion which had arisen, for it would show to the public that however the honourable members might differ as to the best mode of carrying out the principle, they were at least unanimous as to the importance of legislating for the repair of tanks and water-courses, and were fully alive to the advantages which must result from it.

The division was about to be taken, when Mr. Wodehouse said the Governor had been good enough to allow him to explain why he had stated that the introduction of the provision respecting tanks would amount to a new tax. He would assume the number of males within a given locality to be 500, and if the demand for labour on the roads, in one year, within that range could be satisfied with 250, it was clear that the remaining 250 would be available for the following year, according to such rotation as might be ordered by the committee; they would thus work or pay only once in two years. But if, by the addition of liability to labour on the tanks, the whole 500 were required to labour in the first year, and again in the second, it was clear that the tax would be doubled.

Sir Emerson Tennent could not account for the fallacy under which Mr. Wodehouse took

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this view of the Ordinance. So far from this being a measure to raise a new tax, it was nothing more than a new suggestion of a method in which to expend a tax already not imposed, but realised. The present law proposes to raise a certain amount of labour, or of money in lieu of labour; to apply two-thirds of the amount to public roads, and the third portion remaining unappropriated, whether of labour or of money, to works of public advantage, namely, village paths. In order to make such a partition, the gross sum must be realized, else, how apportion it in three parts; applying two as directed, and reserving the other for works of public advantage? All he (Sir E. Tennent) contended for is, that these works of public advantage should not be arbitrarily limited to the one class of village roads, but that they might equally include the analogous and important one of village tanks. But how this could be called raising a new tax, he (Sir E. Tennent) was utterly at a loss to conceive.

Mr. Wodehouse must positively dissent from the construction put upon the Ordinance by the Colonial Secretary. If he (Mr. Wodehouse) was in error, it was most important that he should be corrected, not only for his own information, but for that of the other chairmen of the Provincial Committees. He could not admit that two-thirds of the labour of a district necessarily belonged to the Government for the principal roads. The Ordinance only said that the principal roads should not have more than two-thirds, but within that amount it required Government to submit estimates for its expenditure on particular lines; all that they did not so appropriate, remained at the disposal of the Committee. For instance, suppose the males of a district to amount to 20,000, and the demand for the principal roads could be satisfied with 2,000 in the year, nine-tenths would remain at the disposal of the Committee; and if the minor lines of communication could be provided for by 2,000 more, 16,000 would be disposable for the demands of the following year.

The following division then took place:—

President moves, that the clause as amended do stand part of the Bill.

Ayes—9.

Mr. Swan,
Mr. Armitage,
The Collector of Customs,
The Government Agent, C. P.
The Treasurer,
The Auditor-General,
The Queen's Advocate,
The Colonial Secretary,
The Major-General.

Noes—6.

Mr. Fairholme,
Mr. Smith,
Mr. Dias,
Mr. Giffening,
The Surveyor-General,
The Government Agent, W. P.

Mr. Selby remarked that the Council having now passed the 8th Clause, he thought that before proceeding to the next one, a new clause should be here inserted, defining what was meant by public tanks and water-courses. Almost every large tract of paddy-land in the country belongs to a number of different proprietors. In some sense therefore the water-course supplying it may be called a public water-course. But there are many cases to which he could not suppose the Council intended to apply the provisions of this Ordinance. For instance, in the Kandian country there were large tracts of paddy-land, formerly belonging to the king of Kandy, now the property of individuals. The tenants have always been liable, and are now liable, in virtue of their tenancy, to keep the water-courses in repair. Surely it is not contemplated to class cases of this description under the head of public water-courses? But moreover he (the Queen's Advocate) thought that the Council having gone so far, ought now to go a step further, and to take care that existing rights are not injured or affected by the measure which has been carried. According to his (the Queen's Advocate's) understanding of the customs of the island, the owners of the paddy lands could be compelled by their co-proprietors to assist in the repair of common water-courses, by which the village fields were irrigated; and to work, not six days in a year, but sixty, if necessary, for that purpose. Surely then it would be desirable that there should be some saving of the rights of parties whose interests were deeply involved in this question. Whilst giving the District Committees the power to employ the adult male population in a few days in each year upon the public water-courses, care should be taken not to derogate from the rights of owners to compel their co-proprietors to work as long as was necessary for the repair of their common water-course.

Mr. Buller said, it would be impossible now to force private parties to repair tanks and water-courses, the result would be long law-suits. The matter might be safely left to the Committees, and laws could be framed on the subject.

Sir E. Tennent, as to the suggestions of the Queen's Advocate for defining what was and was not a "public tank," the time would come for doing that and much more in enlarging the provisions, and eliciting the advantages of the measure. All that was now attempted was a commencement; it was an intimation to the natives that the Government were eager and ready to co-operate with them for the promotion of works of local utility; and it was, at the same time, an invitation to them and to the Government servants, to send forward every suggestion, and supply every information necessary to render the measure, eventually, what it had now no pretension to be—perfect. As to the case of disputed owners, alluded to by Mr. Selby, the District Committee would require no further instructions on the subject than cautiously to resist all solicitation to meddle with such causes, or to attempt anything likely to embarrass the working of the law as regards the roads, by interfering in dubious instances with the tanks and water-courses. He was prepared to say on behalf of the Government, that stringent instructions would be issued to that effect.

Mr. Wodehouse would not wish to see any attempt at definition in the mode proposed,

but would prefer to see the clause remain as it was, inoperative, in the full hope that the Government would speedily enter upon the preparation of a proper Bill. There were, he believed, ample materials for a commencement already on record in the office of the Colonial Secretary, and he had little doubt that with the assistance of the proper public servants, and of others who might take an interest in the question, it might soon be framed and enacted.

Mr. Selby said he would not press his motion—he had merely thrown out the suggestions for consideration.

His Excellency said, in reply to the remarks from the Government Agent for the Western Province, that he should be happy to give his best attention to the preparation of a separate Ordinance, with the assistance of that gentleman and the Queen's Advocate, for the more complete attainment of the objects proposed, namely, the repair and up-keep of tanks and water-courses. But of course time was necessary for the development of a plan sufficiently matured and comprehensive to embrace the many points of difficulty which might arise.

On the reading of the 9th Clause Mr. Swan rose to propose some amendments, and having read them said, he did not propose these amendments from entertaining any objection to the Buddhist priests being exempted from performing the labour required by the Ordinance, or from paying the exemption tax, but because he wished the exemption more extended; and first, that it should be granted to the Christian ministers; then as the Buddhist, the Mahomedan, or other heathen priests may, however mistaken their religions, show some good grounds for exemption, that it should be extended to them.

The Buddhist priest claimed exemption upon the plea that the tenets of his religion do not permit him to labour, or to hold property that would enable him to pay the exemption tax, although it had been already shown that generally he did not consider these tenets binding on him, and the same argument might apply to the priesthood of any other heathen religion; but the Christian minister had a far higher claim to exemption, inasmuch as he was already a servant, and was required to devote all his time and all his energies to the duties of his sacred office; he was a labourer in the one true vineyard, and the Lord of that vineyard had the sole right to claim every moment of his time: if then it was admitted that the state had no claim upon his labour, it followed that it could have no possible right to impose a tax upon him, however small, to exempt him from the performance of that labour.

If they considered the question merely in a financial point of view, the loss that would accrue to the colony was so exceedingly trifling as scarcely to be worth consideration, but if it was found expedient to sacrifice revenue out of respect for the tenets of the Buddhist religion, or the prejudices of its priests, who certainly deserved very little at their hands, surely it was their bounden duty to make some further sacrifice in support of the respect due to the Christian religion.

He was not desirous of taking a very wide political view of the question, still it appeared to him that the surest way of binding the people of this country to us, and to do away with those jealousies leading on to rebellion, and from rebellion to bloodshed, was to diffuse amongst them the blessings of education based upon Christian principles; and the first step towards the attainment of this desirable end was to teach the heathen to respect our religion by respecting it ourselves. He knew, he said, that there was nothing really degrading in the Christian minister being called upon to pay 3s. as a tax to exempt him from performing certain labour, and, under ordinary circumstances, this would never have been objected to; but it was a very difficult thing to impress this upon the mind of the native, darkened and ignorant as he was, and guided in such matters almost entirely by the opinions of his priest, and he did fear that the passing this clause as it then stood would give a handle to the priest to increase his influence over the people, an influence that never had been, and never would be, exerted in favour of the British Government. But granting that it did so pass, was it to be imagined that the Mahomedan or the Hindoo would sit quietly down and see his priest reduced to break stones upon the road or pay the exemption tax, when he beheld the Buddhist priest (immediately too after the recent events in the Kandian country,) the only exception to the rule? He thought not—but rather than see this clause as it then stood carried, he would wish to see it struck out altogether—let all pay alike, and let the Temple pay for the Buddhist priest; and he implored the members of the Council to pause, and weigh well that in giving their votes upon this all-important question, they did not incur the risk of bringing contempt upon the religion of Christ, and of committing besides a very grave political error.

Mr. Armitage said that he seconded the amendment not only for the many cogent reasons adduced by his honourable friend, but also because the Executive appeared to have overlooked the important fact that the Catholic clergy here, who were all missionaries, were under a vow of poverty, as rigid as regards the rule, and more stringent as regards its application, than the vow of the Buddhist priests. Every member of the Council would concur with him when he said that there was not a more loyal or peaceful class in the entire community than the Catholic clergy. Unassuming, though possessing many men of the highest attainments in their order; unobtrusive, though wielding more actual power than the clergy of all other denominations put together. They were ever to be found among the advocates for obedience to the constituted authorities and respect to the laws, and he thought they were entitled to social consideration in this Ordinance. He thought it could not be intended to pay less respect to the vows of Christians than to those of Buddhists, and he trusted that it was only necessary to point out the serious oversight committed to have it at once and immediately rectified.

His Excellency said it was with much regret that he found this question brought forward, and it was with equal regret that he felt it his duty to oppose the amendment of the honourable member opposite.

His Excellency wished it most distinctly to be understood that this clause was not founded on

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any religious consideration, nor could he see how in any way it could be argued that it was giving any supremacy to the Buddhist religion. We are by treaty bound to protect them in the free exercise of their religion; and after very mature consideration, it does undoubtedly appear that the vow of the Buddhist priests does not permit them to possess money or to labour; and therefore, in compelling them to labour or pay, we are asking them to do that which, without a violation of their oath, they are unable to obey, and which, if they did, would injure them in the eyes of the people. His Excellency hardly thought the Government would be justified in using compulsion.

This objection did not, in his Excellency's opinion, apply to the Christian ministers, and moreover he could not but feel that this amendment, if carried, would bring the Christian ministers down to the same level with the Buddhist priests, which, for his own part, he could not consent to be a party to. The clause as it stood was simply one of toleration, and which his Excellency was sure would be so felt by the mass of the Christian community. At the same time his Excellency placed the question entirely in the hands of the Council, and he should be guided entirely by their judgment.

Mr. Smith regretted that by the amendment proposed this should be considered in the light of a religious question. We did not want the labour of the Christian ministers, we simply wanted the 3s.; nor could he see any more reasons for our ministers being exempted from this tax than that they should be exempt from assessed or any other taxes. This was a great colonial undertaking; if successful, people of all denominations would benefit, and he could therefore see no good cause for the proposed exemptions, and would consequently support the original clause.

Mr. Fairholme remarked that in practice the Buddhist priests disregarded their own precepts; he did not see why we should not respect our own prejudices.

Mr. Armitage.—His honourable friend on the left (Mr. Smith) had said they might as well exempt the clergy from assessed taxes. So they were usually exempted from taxation in Catholic countries, partly on account of their vows, and partly, perhaps, from the consideration that as they were supported by the community, to take money from them was in reality to take so much more from the community. A similar rule had obtained in Great Britain while it was a Catholic country—at least as regarded all orders who were precluded by vow from acquiring property in their own right.

Lord Torrington observed that it was at all times difficult to make exceptional cases. He was not aware that the Roman Catholic priests in this country were bound by any vow such as Mr. Armitage mentioned. Only imagine that a number of Quakers, or any other religious body, came amongst us, there would perhaps again be a new claim for exemption. He assured the Council that it was to be viewed as a matter totally distinct from any question of religion. It was on no religious grounds that Buddhist priests were exempted. He should be sorry to see the ministers of any Christian denomination placed upon the same level with them on any question of this kind.

Mr. Swan here produced an amusing discussion by asking if the Buddhist priests were not subject to payment of tolls at ferries?

Mr. Selby remarked (as far as we could gather) that the Temple funds sufficed for such purposes.

Mr. Swan.—Then they could pay the commutation just as well.

Mr. Smith remarked that the tolls were all rented by Singhalese, who practically exempted the priests.

Mr. Wodehouse said the fact was that Christian ministers were at this moment exempted from payment of tolls, which Buddhist priests were not. The one might stand as a set-off against the other. (Laughter.)

The division on Mr. Swan's amendment then took place as follows:—

President moves that the words proposed to be omitted do stand part of the Bill:—

Ayes, 9.	Noes, 5.
Mr. Smith.	Mr. Swan.
The Collector of Customs.	Mr. Fairholme.
The Surveyor-General.	Mr. Armitage.
The Government Agent, W. P.	Mr. Dias.
The Treasurer.	Mr. Giffening.
The Auditor-General.	
The Queen's Advocate.	
The Colonial Secretary.	
The Major-General.	

After a few remarks from Mr. Fairholme to the effect that some security should be taken that the exemption extended only to priests, that it would not do to exempt every person putting on a yellow comboy and calling himself a priest, the Council adjourned until Wednesday the 8th.

Wednesday, November 8.

The following is a copy of the Order of the Day:—

Order of the Day.—Wednesday, November 8, 1848.

COUNCIL.

The third reading of the Bill:—

To amend in certain respects the Ordinance No. 9, of the year 1848, entitled "to require the owners of Dogs to take out Licenses for the same."

To resume consideration of the Bill :—

“ To alter in certain respects the Ordinance No. 8, of the year 1848, and to extend its operation to the maintenance of public tanks and other means of irrigation.”

To take into consideration the following Bills :—

“ An Ordinance to enable Etienne Amy, an alien, to hold Lands in this Island.”

“ An Ordinance to naturalize Gabriel Benedict Worms.”

“ An Ordinance to naturalize Maurice Benedict Worms.”

“ To remove doubts concerning the validity of Grants of Land in this Island.”

“ The Queen's Advocate to move the resolution, of which he has given notice, in reference to the 6th section of the Ordinance No. 6, of 1847.”

Before proceeding to the order of the day, his Excellency observed that he thought it right to make a few remarks in explanation of what fell from him at their last meeting, with respect to some of the Ordinances to which he had then alluded. He wished it to be understood, that although the Government were prepared to repeal the recent Dog Ordinance, because it had been found in a great degree to have been ineffectual for the objects for which it was designed, still it would be necessary to keep down the increase of dogs as much as possible, and for that purpose to retain the power of killing them at stated periods, but without holding out the premium which had hitherto been given for their destruction, and had led to the actual breeding of dogs for the sake of the reward to be obtained for killing them.

With respect to the Gun Ordinance, it should be clearly understood that the Government were determined rigidly to enforce its provisions without the least delay, so far as regarded the single registration ; and every new purchaser of fire-arms, or every new possessor of fire-arms already registered would, of course, be required to take out a fresh license for the new registration.

It was quite possible that the views of the Government might be misunderstood with regard to the causes which induced him to recommend to the Council the modifications before alluded to. It might probably be said out of doors, that he had been forced into these changes by orders from home. But he desired to assure the Council that if he had received any such communications, he should have felt it his duty instantly to put the Council in possession of them. He was not disposed to use any unnecessary reserve. The question of these Ordinances had been brought fully under the consideration of the Executive Council entirely on his own responsibility, and if he had received any new instructions whatever from the Secretary of State, he should have regarded it as a positive duty to make them known.

But such was not the case ; and indeed he was happy to be enabled to say, that on no occasion since he had been in the island, had the Secretary of State shown any inclination to act otherwise than in support of the recommendations made by the Council after mature deliberation. He could have little doubt, therefore, that although the Ordinances, as passed in the last session, had received the entire approbation of the Secretary of State, any alterations which might be made concerning them would meet with attention and approval.

For his own part, he was desirous to follow a straightforward course, and to show that he was at all times prepared to listen to reasonable representations properly made to him.

Sir J. E. Tennent rose, and in allusion to some information required by an honorable gentleman opposite (Mr. Armitage), on the subject of District Courts and their expenditure, said the Government had no objection to give the information he required, and the returns were now in course of preparation.

Mr. Armitage had signified his intention to move for certain returns, not merely with a view to obtaining these returns, but partly that he might have an opportunity of bringing before the Government, the Council, and the public, some facts connected with the subject matter of these returns ; but he was not yet prepared with his statements. In what manner could he subsequently bring forward these facts ?

Sir J. E. Tennent.—The discussion on the Supply Ordinance would afford an early opportunity. When the estimates for judicial expenditure is before Council, the Honorable Member can enter on the discussion, but no question can be here debated unless introduced by the Governor.

Lord Torrington.—No wish on part of Government to hamper discussion or refuse information, but must adhere to the rules.

Mr. Armitage gave notice, that in committee on the Supply Ordinance, he would make his statement.

In the Tank Ordinance, Mr. Wodehouse's amendment, which appears in the proceedings of the 6th, was carried ; as also a number of alterations, chiefly verbal.

The ordinance to enable Etienne Amy to hold lands passed through committee, and was read a second time ; as also the Ordinances to naturalize the Messrs. Worms, for which privilege those gentlemen will each pay a stamp-duty of 25*l*.

When the “ Grants of Land ” Ordinance came up, the Government Agent for the Western Province wished to call attention to that part of the clause that legalized past grants of cultivated land. He had understood the Queen's Advocate to have stated, on the first reading of the Bill, that the permission of the Secretary of State had not been obtained for remedying this defect of the Royal Instructions, which at present only empowered the Governor to grant waste lands ; he therefore concluded that the Ordinance would not be promulgated until confirmed, and wished to point out that a power ought to be obtained for the issue of such grants for the future. The Government were constantly called upon to issue them, and indeed it was probable that the majority of future Crown grants would be those of land more or less cultivated, which would be sold to the occupants for the half value, or upon some other special conditions.

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He therefore thought that it would be well, in submitting the Ordinance for approval, to call the attention of the Secretary of State to this point, and thus save the trouble of passing future Ordinances.

Mr. Selby concurred with the Government Agent that it would not be advisable to promulgate this Ordinance, if passed by the Council, until it had received confirmation; for as he had formerly mentioned, it legalized certain grants, for the legalization of which there were no distinct and specific instructions; he meant the grants made of lands which were not waste. And it was certainly a possible, though by no means a probable case, that the Ordinance might be disallowed on that ground. The Queen might say that having never given instructions to any governor to make grants of cultivated lands, she was not prepared to recognize such grants. On this head he thought it would be most desirable that the course indicated by the Government Agent should be followed, and that power should be given in the public instructions—that is in the instructions respecting the sale of Crown lands generally, which were published—to the Governor in future to sell not only waste lands, but lands belonging to the Crown which might have been brought into cultivation. Otherwise the Council may be repeatedly called upon to pass Ordinances from time to time legalizing past grants. He (the Queen's Advocate) thought that the Council would not be justified in prescribing, or attempting to prescribe, a future course in such matters. It was the right of the Crown to lay down those rules which should regulate the sale of Crown lands. All that the Council ought now to do was, he thought, to legalize past transactions. At the same time, this would be a most favorable opportunity for bringing the subject under the notice of the Secretary of State.

The Queen's Advocate then submitted his resolution on the 6th clause of the Marriage Ordinance, and it was adopted by the Council; so that the Marriage Ordinance stands as it was passed last year.

No. 41.

(No. 203.)

No. 41.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, November 14, 1848.

(Received December 26, 1848.)

MY LORD,

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WITH my Despatch No. 202,* I have transmitted, for Her Majesty's confirmation, an Ordinance "to alter in certain respects the Ordinance No. 8 of 1848, and to extend its operation to the maintenance of public tanks and "other means of irrigation;" and I have there explained in detail the object of the several alterations of the original measure.

2. It now becomes necessary that I should make your Lordship fully acquainted with what has taken place here upon this subject, and with the determination at which I have arrived upon other very important matters.

3. You are aware that when the Ordinance No. 8 of 1848 was enacted, it was so framed as to allow a period of nearly eight months for the completion of the preliminary arrangements necessary for bringing it into simultaneous operation throughout the whole island; and it was with deep regret that I found myself prevented by the course of events from perfecting those arrangements for several months. Indeed, for some time, the postponement of the measure appeared to me inevitable, and a clause to that effect was introduced into the amended Ordinance to which I allude. Urgent remonstrances were, however, made against the proposed delay, after the publication of the draft in the Gazette, and I was solicited to allow the Ordinance to come into operation, as at first proposed, on the 1st January, or as soon after as practicable, in each district, in proportion as progress should be made in the preliminary arrangements.

4. Looking upon the measure as one highly calculated to develop the resources of the colony, and eventually to relieve the Government from a heavy expenditure for the maintenance of roads, I was naturally well disposed to accede to whatever appeared likely to hasten its operation; but, at the same time, I felt that the attempt to press the measure with the vigour implied in the proposed mode of proceeding, might be attended with difficulty, unless the Government were enabled at the same time to satisfy the people of its real desire to promote their welfare and comfort, and to induce them to carry out the provision of the Road Ordinance willingly and cheerfully.

5. With this understanding, I felt it my duty to take the opportunity of reconsidering the whole system of taxation lately adopted under my direction, and to reflect whether any of the taxes which have been imposed were objectionable in principle, unproductive in their results, or oppressive in their mode of operation. I was satisfied that the people could not mistake the

motive of any concession that I might determine upon, as they must have been convinced of the ability and inclination of the Government to repress any disturbances and discountenance any disrespectful representations. I was anxious at the same time to be able to state candidly to your Lordship whether I thought that I had in any way erred in the policy which I have felt it my duty to pursue since my arrival in the colony.

6. It must always be borne in mind that if new taxes have been imposed upon the people in Ceylon, others of far greater importance have been removed; and I am happy to be able to renew my assurance, already more than once expressed, that recent disturbances in the colony have had little, I may say in reality nothing, to do with the imposition of the new taxes. That attempts were made, both here and at Kandy, by evil-disposed persons to excite discontent, is true; and there is no doubt that rumours concerning other taxes which the people were led to believe were about to be imposed, contributed to aid the chiefs and priests in their endeavours to excite the insurrection which has been so recently and successfully put down.

7. At the period of my arrival in the island, a strong opinion prevailed that the high export duty upon cinnamon was a check upon the prosperity of the colony, and the objections which are applicable to all export duties, as a matter of principle, were fully discernible. I have reason to be satisfied that the course pursued by the Government, in procuring the reduction of the one and the abolition of the others, was correct and judicious, and will be conducive to the future prosperity of the colony. But in making these most important changes, it became my duty to ascertain what resources were immediately available for supplying the large deficiency which must be expected, in the first instance, to result from so great a change in the tariff.

8. I found, on my arrival, that the public expenditure far exceeded the revenue, and the whole financial state of the island was in a most unsatisfactory position. To give relief to trade and commerce at such a moment was a measure of considerable difficulty. The imposition of a land tax was found, for the present, to be impracticable, for the absence of satisfactory surveys prevented any fair and equitable arrangement from being attempted without very great delay. It therefore became incumbent on me to take advantage of any legitimate means which could be made available, in order to obviate the embarrassment to which the Government might otherwise be subjected, owing to a deficient revenue.

9. Accordingly, with the advice of my Executive Council, I introduced a complete revision of the Stamp Duties, an annual Gun Tax, a Shop Tax, a Dog Tax (the latter, however, having little connection with the revenue purposes), a tax on carriages and boats used for hire, and the Road Ordinance.

10. With regard to the first of these measures I have every reason to think it will add very considerably to the revenue of the colony, and that it is a fair, and legitimate mode of taxation; I can perceive no just grounds for any material alteration of its provisions.

11. I have already stated to your Lordship my opinion that much relief will be afforded to the colony by the operation of the Road Ordinance; and I cannot doubt that the results of these measures will amply repay the Government for the sacrifice it has made by the abolition of the export duties.

12. The next tax to which I would call your Lordship's attention is the Gun Tax. Previous to my arrival in the colony, the necessity of an Ordinance of this kind had been already admitted; for in the speech of my predecessor, Sir Colin Campbell, on moving the second reading of the Supply Ordinance for 1842, he recommended that a tax on guns should be imposed. Fully concurring in Sir Colin Campbell's views that a registration of fire arms was absolutely necessary, I was gratified to receive Her Majesty's confirmation of the Ordinance No. 13 of 1847, which I had introduced for that purpose.

13. This Ordinance has since been brought into operation, and I am bound to confess that difficulties have been experienced in carrying out its details, which can be thoroughly appreciated only by those resident on the spot, and which have arisen in a great degree out of native habits and customs, and from that mistrust of each other combined with ignorance and timidity, which it is almost impossible to eradicate from the minds and feelings of the people. By way of illustration of this remark, I would mention the fact that instead of one man bringing a number of guns to be registered for himself and his neighbours,

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every man from a whole district would come out the same day and hour, to the number of perhaps several hundred persons, making it utterly impossible for the agent to register their guns on that or the next day, by which arrangement numbers of people would be kept waiting at considerable expense to themselves and loss of time; and no exertions or representations of the officers of Government could succeed in remedying or preventing this inconvenience. The tax was equal to 20 or 25 per cent. upon the value of a great majority of the guns possessed by the natives, of which, indeed, many were utterly useless and valueless except as curiosities, which had been kept as heir looms in their families.

14. Again it has been ascertained that the people in many instances preferred destroying their guns, that others had concealed them, and that it was in fact very difficult in a wild country to compel the people to come in to register fire-arms. It was found, also, that dishonest pedlars had in many instances circulated delusive reports amongst the natives, by which means they had persuaded them to sell their guns absolutely for a mere trifle. Although I have little doubt that the tax could be collected next year with less difficulty, I am nevertheless sensible that some discontent and annoyance might arise from the attempt to enforce it, and I am bound to admit that the revenue hitherto derived from it has not been so large as I anticipated, although I have reason to believe that the actual number of guns was not over estimated in my previous calculations.

15. That a registration is necessary is beyond a doubt; and I have, with the unanimous concurrence of my Executive Council, recommended that the Bill of last session should be amended by striking out the word annual; thus leaving it compulsory on all parties possessing fire-arms to register them, but only requiring one registration and one payment. By this alteration I have every reason to believe that the registration will be easily completed, and that the measure will now be willingly adopted by the people. By this means one ground for discontentment will be done away with.

16. With regard to the Dog Ordinance, No. 9, 1848, I candidly admit that the operation of it for the abatement of a great nuisance has not been successful, and that the necessity for reverting to the destruction of dogs continues as imperative as before. The only means of enforcing the Ordinance even in the towns, was by giving to the police a power of entering houses to search for dogs, for the natives will not voluntarily kill them, and as undoubtedly this was in itself an arbitrary power, I have recommended the repeal of the Ordinance altogether.

17. The annual shop-license has been the subject of much complaint, and frequent petitions have been presented to me on the subject, asking for its abolition. The tax appears to be chiefly paid by the industrious Moormen, by whom, in fact, all the trade of the country is carried on. They argue that they pay a large portion of the custom-house dues, that they pay the police assessment, that they contribute to the Road Ordinance, and that by compelling them in addition to take out a license to trade, we not only make taxation unequal, but discourage new traders, and in fact prevent fair competition. These representations are not perhaps entirely well founded; but I am inclined to think that whilst the revenue derived from these shop licenses is small, and not easy of collection, it affords a handle for complaint. At the same time they cunningly practise upon the ignorance and credulity of the Singhalese, and try to impose increased charges, under the plea of increased Government taxation. I have thought it better, therefore, with the concurrence of my Executive Council, to recommend the repeal of this Ordinance. I am not aware that the people have any other special grievance to complain of.

18. I have now briefly reviewed the position in which I found the colony at the period of my assumption of the Government, and the reasons which induced me to make every possible effort to relieve the public from burdens that were a check on their prosperity, and also to fortify myself against any possibility of serious financial difficulty. I have no reason to think that I at all erred in the recommendations which I made to my Council, or that they were wrong in the conclusions at which they arrived.

19. I am, nevertheless, fully conscious that charges may be made against me to the effect that the reconsideration of these Ordinances, by the alteration of one, and the repeal of two others, is a proof of the error of my policy, and

tends to justify the assertion that they really brought about the discontentment of the people. I trust that the explanations I have already given will satisfy your Lordship's mind that I am far from being justly chargeable with any error of this description. I think I have demonstrated to your Lordship, in my former Despatches on the Kandyan insurrection, that the rebellion was planned, organized, and prepared, long before the taxes were thought of; and, indeed, many of the parties who were implicated and tried in 1845 were those implicated and tried in 1848.

20. The chiefs and priests, always treacherous to the Government and hostile to British rule, above all, indignant at the course pursued towards them respecting their religion, have been looking eagerly forward for some pretence to fly to arms, and a plot of longer preparation, and of deeper or more determined character, has seldom, if ever burst forth. I repudiate all supposed connection between the taxation and the rebellion, in which opinion the observations of the Colonial Secretary, Sir J. E. Tennent, while travelling through the country, further confirm me. That the efforts of evil-disposed persons to excite discontent enabled the priests and chiefs to hasten the outbreak, I am willing to admit; and I have only further to remark that, if the mode of taxation I adopted was wrong now, so must also have been the recommendation of former Governors for the introduction of some of those taxes which I felt it my duty to impose.

21. In conclusion, I have only to call your Lordship's attention to the fact, that the changes I have recommended to my Council for adoption have been brought forward at a moment of perfect tranquillity and freedom from excitement. Confident in the strength of Government to repress disorder, and believing that the people themselves are aware of its power and determination in this respect, I have thought the time was most opportune for making those changes which I have indicated, and which might be carried through with justice to the people and benefit to the Colony. At the same time I confess that, without a perfect confidence that the Road Ordinance would be fully and efficiently carried out, and that much relief to our finances would result from its operation, I should not have felt justified in giving up the amount of revenue which I had looked forward to as likely to result from the effect of the Ordinances to which I have already adverted.

22. I believe I may state that the course I have followed has given satisfaction to all classes of the people, and it will tend to convince them that the Government are ready to listen to just complaints, and to redress all causes of discontent, however slight, if fairly established. I trust they will be found ready and willing to render their services cheerfully in carrying out the Road Ordinance, the importance of which, I must again assure your Lordship, cannot be over estimated.

23. I have only further to add, that I have diligently and zealously laboured in the discharge of my duties without any other object than to secure the welfare and prosperity of the colony, ever anxious as I am to prove myself worthy of your Lordship's confidence, and earnest in my efforts to promote the credit and honour of the country.

24. I do not hesitate to say that, if I really felt that I had committed an error, I should candidly avow it to your Lordship. But, as I feel confident in the propriety of the course which I have pursued, with the full concurrence of my Executive Council, I trust that it will likewise be supported by the full and unreserved approval of your Lordship.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

(No. 206.)

No. 42.

No. 42.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, November 15, 1848.

MY LORD,

(Received December 26, 1848.)

I HAVE the honour to transmit a letter addressed to your Lordship by
the Lord Bishop of Colombo, the purport of which is to place before you, in

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detail, the objections which he entertains to the exemption of Buddhist priests from the obligations imposed by the Road Ordinance, from which they have been relieved by the insertion of a clause to that effect in the Ordinance No. 14, transmitted by this mail.

* Page 268.

2. In my Despatch No. 202,* I have already taken occasion, in commenting upon the objects of the new Ordinance, to remark upon the particular clause to which the Lord Bishop objects, but I have there treated it purely as a practical question. I stated that as the Buddhist priest is disqualified by the nature of his vows from possessing money, and also from performing manual labour, and as the attempt to compel him by law to do either the one or the other was calculated to lead to grave consequences, by giving him a handle for misrepresenting the intentions of the Government, it was both equitable and expedient that he should be relieved from that obligation.

3. Nor is this the first instance in which special exemption has been made with regard to Buddhists in this island, for it will occur to your Lordship that the Temple property has been expressly exempted from all taxation whatever, and even the services which the Temple tenants were formerly obliged to render to the Crown in lieu of other contributions were abolished in 1832.

4. But since the Lord Bishop has taken up the question upon purely religious grounds, I hasten to assure your Lordship that in no one point of view has it been so regarded by the Government; the exemption was given to Buddhist priests not as priests of a religious order, but as professed mendicants, whose vow of absolute poverty it was practically necessary to respect. The exemption was not given to other priests of other non-Christian professions, as Mahomedans, for instance, because they are not mendicants by obligation, or incapable of manual labour, while the Buddhist priests are prohibited from even turning up the soil. By the treaty of 1815 we are bound to protect the Buddhist ministers, and support their privileges, and we could scarcely compel them by law to do that which they are prohibited from doing by their religion.

5. It is necessary that I should remark that the ministers of other Christian denominations have not united with the Lord Bishop in the view which he has taken. The Roman Catholics, who are by far the most numerous body of Christians in the island, who number among them many missionaries bound by vows of poverty and humiliation, have made no representations to me upon the subject, neither have the Wesleyans, or the Ministers of the Scotch Church. Indeed, I have some reason to believe that they are not anxious to participate in the exemption of the Buddhist priests, because they do not desire to be classed with them in the same legislative enactment.

6. But whatever conclusion might be arrived at with regard to the propriety or the expediency of not compelling the Buddhist priests to work or to pay, I venture to submit that it is now too late to revert to the attempt to force it upon them; they have petitioned for exemption, and they have been led to expect that it will be accorded. I confess that I should deeply regret to be obliged to announce to them the disappointment of that expectation. Serious difficulties might be the result.

7. Neither do I think that we are at present in a position to be able to exact from the Temple tenants any payment by way of commutation for the priests. The question of taxing Temple lands, or exacting new contributions from Temple tenants, is one of too extensive and serious a nature to admit of its being incidentally treated in the mere details of a Road Ordinance. I should be sorry to have to jeopardize the successful working of so important a measure by introducing into it matter so foreign to its legitimate scope.

8. I yield to none in my desire to give every support and encouragement to the ministers of the Christian religion, and to strengthen them in their difficult task of enlightening the heathen population of this island. If I could perceive that the operation of the 9th Clause of the Ordinance would be calculated to impede their efforts, or retard their success, I should on no account have ventured to give my assent to such an enactment; but I am unable to perceive in what manner the fears of the Lord Bishop could be realized, that the exemption of the Buddhist priests might be represented to their followers "as a distinctive tribute to the excellence of their religion." I am not aware that the Buddhist priests openly discuss the comparative merits of their own, or any other system; their religion is essentially apathetic; they make no efforts to

convert others to their own views, but they are well inclined to resist the attempts of others to depress their position.

9. But if we are unable to avoid the necessity of exempting the priests, it has been proposed by the Lord Bishop that we should extend that exemption to all ministers of the Christian religion. It must be evident that if this suggestion were acceded to, a similar exemption could not be refused to ministers of religion of every denomination, whether heathen or Christian. The Mahomedans and the Brahmins would have a similar claim for indulgence, and missionary teachers, catechists, and even schoolmasters, could scarcely be refused. The Bishop only estimated the number of individuals who would claim exemption at about 100, but I have reason to believe, that among Roman Catholics alone, a large number of persons might claim exemption; and he has altogether omitted from his calculation the priests of different heathen professions.

10. It was not without regret that I found it necessary to make an exemption on behalf of any class of the inhabitants, for one of the great recommendations of the Road Ordinance, as originally framed, was the universality of its application to every person resident in the island. But if we are now still farther to extend the exemptions, it would, in my opinion, be difficult to say where they would end. The loss to be incurred would be far less important than the difficulty and inconvenience of perpetually opening up the question of exemption anew.

11. In stating the objections which I conceive to apply to both of the propositions of the Lord Bishop, I have felt bound to give that consideration to the views which his position and ability demand, but at the same time I cannot refrain from observing that ministers of the Christian religion, labouring among a heathen population, appear to me to be sometimes led away by their zeal and over-anxiety for the success of their exertions, to lose sight of the difficulties which have to be encountered by a Government desirous of fulfilling its many obligations towards all classes of the people.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Enclosure in No. 42.

Encl. in No. 42.

MY LORD,

Colombo, Ceylon, November 13, 1848.

HAVING no more legitimate mode of bringing my opinion on any points affecting the religious condition of this colony, before your Lordship, I am compelled thus formally to express to your Lordship my unfeigned sorrow that, in an Ordinance which has just passed the Legislative Council, entitled "An Ordinance to Alter in certain respects, the Ordinance No. 8, 1848, &c." a clause (No. 9) has been introduced, exempting all Buddhist priests from the labour required under that Ordinance, and from all payments in commutation of such labour, on the ground that the tenets of "Buddhism prohibit the priests of that religion performing labour of the description contemplated, and forbid to such priests the acquisition of money or other property," while the like exemption is not granted to Christian ministers.

Admitting even that, to a statesman, such an exemption may on *political* grounds seem expedient, as far as regards the Buddhist priests (though not at all assenting to this opinion) I would press earnestly upon your Lordship the conclusion which follows, that on religious grounds the same immunity should be extended to Christian ministers.

1. Because the British Government, having only last year so solemnly disavowed and formally discontinued all connexion with the Buddhist religion, it is neither equitable nor consistent now to exclude Christian ministers from privileges granted to Buddhist priests.

2. Because the exemption being granted only to priests, as *spiritual* persons, and to none other, it cannot be treated as a *merely* political question, or divested of a religious bearing. If therefore, political reasons require the exemption of one class, religious principles requires the same for the other.

3. Because the exemption being shared by Buddhist priests with his Excellency the Right Hon. the Governor alone, as the representative of Her Majesty, and Her Majesty's troops, it cannot fail to be considered by them and their followers as a high and distinctive tribute to the excellence of their religion,

4. Because so honorary a privilege will, for its own sake, be greatly esteemed by a people wholly uneducated and incapable of discriminating between truth and error, and will not fail to be used by a designing priesthood for the purpose of upholding their own false system.

5. Because such an impression on the native mind cannot but be most prejudicial to the cause of Christianity, and must act as a positive discouragement and hindrance to all Mis-

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sionary efforts for the diffusion of truth, and for the enlightenment and real improvement of the Singhalese people.

6. Because a Christian government in its unrestricted and equal toleration of all religious opinions cannot confer special immunities on the professors of a false creed without disparaging those of the true religion.

Were I disposed to object to the measure on any other than purely religious grounds, I might urge.

That, in a financial point of view the pecuniary gain to Government must be beneath consideration when so important a principle is at stake. The whole number of Christian ministers of every denomination in the island, European, Native, and American, by the last published return, does not exceed 100. The annual payment of 3s. each would amount to an annual aggregate of 15*l*.

I might urge, too, the well-known fact to which the records of many Courts of Law in the island will bear testimony, that whatever may be the *professed* tenets of Buddhism, the priests not only inherit and possess property, but claim, as subjects, the protection of the law for its possession.

Whether the property so claimed be of corporate or personal tenure there can be no injustice in requiring that the property itself should contribute towards the maintenance of the Government, which protects its possessors in their rights.

But I forbear altogether from the use of such arguments, further than in illustration of the real merits of the case. The single ground of my appeal is the religious tendency of the measure. No conscientious scruple or political objection is urged; no professional jealousy is felt, no private or personal feeling is entertained. As the *original* Ordinance stood, the Clergy willingly acquiesced in the pecuniary payment, and do so still; but the amendment just passed having introduced into it an element of a directly religious character, I am unable to suppress my conviction, that its provision is one as irreconcilable with the principle of sound legislation as repugnant to those of true Christian faith.

I need not press upon your Lordship the obvious and great necessity on the part of our rulers of extreme caution in legislating for an illiterate and superstitious people lest any measure be adopted which may even *seem* or be so perverted as to give direct countenance to a system of religious falsehood, believing as the Singhalese Buddhist does, the mysterious and inherent sanctity of his religion to be such that the British power, though invincible in arms, is feeble and futile for its overthrow, and interpreting therefore all its acts as an involuntary homage to the superiority of his own faith.

I appeal, therefore, with confidence to the Imperial Government of Great Britain, as a Christian country in which the true principles of toleration are not only understood but carried out; and where it is not a *mere* profession or conventional form, but a great practical principle exemplified every day; and I intreat your Lordship, for the sake of truth and *our* common faith, not to sanction the enactment as it at present stands, lest you give the entire native population of Ceylon reason to think the British Government indifferent to the holy cause of Christianity.

Should it, for political reasons, be thought necessary (which, however, I do not either in principle or opinion admit) to confer civil immunities or privileges of any kind on Buddhist priests, I entreat that the Christian clergy may look for an equal measure of consideration from Her Majesty's Government.

I should not press this important matter so earnestly on your Lordship if I did not really believe the cause of the Christian religion, and the prospective dissemination of Divine truth among an unconverted and uneducated people to be seriously jeopardized by this enactment.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) J. COLOMBO.

No. 43.

(No. 217.)

No. 43.

COPY of a DESPATCH from the Right Hon. VISCOUNT TORRINGTON to
Earl GREY.

Queen's House, Colombo, December 5, 1848.

MY LORD,

(Received January 24, 1848.)

1. IN my Despatch (No. 184) of the 14th October, I reported to your Lordship that the pretended king had been captured in the neighbourhood of Kandy, and that the insurrection had altogether subsided.

2. I have now the honour to state that the individual above alluded to, by name Gongalagodde Banda, was brought to trial before the Supreme Court, on the 27th ultimo, upon the charge of high treason, to which he pleaded guilty, and a verdict was returned accordingly.

3. In transmitting to me the proceedings upon this trial, and the exemplification of the sentence of death, the learned Judge accompanied it with his recommendation that it should be commuted to some lesser punishment, but without furnishing me with the grounds upon which he founded that recom-

mentation further than by forwarding to me a written statement which was read by the prisoner in Court.

4. I transmit to your Lordship a translation of that statement, although it contains little information either valuable in itself or exculpatory of the prisoner's behaviour. It is in some respects at variance with the statements made by him immediately after his capture, and the evident design of his present confession is to attribute to the apprehended imposition of not less than 32 new taxes (for which I need not say there was no foundation), the whole rising of the people, whose unwilling instrument he admits himself to have been. He does not, however, deny that certain chiefs and priests, who are indeed mentioned in his statement, were active agents in the movement.

5. As there was no opportunity of eliciting in cross-examination upon this trial any useful or interesting information respecting the recent rebellion, it was impossible to obtain that fuller explanation of the real part which the prisoner had played, and that more complete development of the plans and intentions of the more influential leaders with which I had hoped to have been furnished; but so much has been already communicated to your Lordship upon this subject in my former Despatches, the correctness of which I have seen no reason to doubt, that I feel the less regret at being unable to supply any more extensive information upon the present occasion.

6. I have reason, however, to think that the endeavour to assign to the fear of taxation the whole origin of the recent outbreak at Kandy was suggested to the prisoner since his capture. The attempted insurrections of 1822, 1835, and 1843, were never sought to be accounted for upon such a ground; and I am persuaded that whatever influence the fear of taxation may have exercised upon the minds of the people upon the recent occasion, the real origin of the movement must be traced back to a much older and more exciting cause, viz., the long standing disaffection of the chiefs and priests, ever waiting for an occasion for its development, ever watchful to misrepresent the intentions of the Government, and always ready to mislead the people to their own wrong.

7. After carefully weighing the recommendation of the Judge for mercy, I have arrived at the conclusion, that under the circumstances stated it would be expedient not to carry the sentence of death into execution. The dread of transportation among the natives is almost greater than that of death. It is my intention that the sentence shall be commuted to transportation for life; and by way of making a more lasting impression upon the minds of the Kandians, I propose that their pretended king shall receive a severe public flogging at Kandy preparatory to his transportation.

The Right Hon. Earl Grey,
&c., &c., &c.

(Signed) I have, &c.,
TORRINGTON.

Enclosure in No. 43.

Encl. in No 43.

(Translation.)

I, Gongalagoda Banda, prostrating myself before this high tribunal, and making my obeisance one million times, most humbly beg leave to submit to the judge who presides over the administration of justice in the Supreme Court the following circumstances, viz:—

In consequence of some disagreement at our house at Gongalagoda, in Ooduneuvere, I was induced to go and live with the elder sister of my father-in-law, who lives at Cadaewela, in Matele, and whilst living there, persons who were in office acquainted the poor people that Mr. Buller had established thirty-two taxes, on which account the people of the four provinces formed themselves into a rebellion.

At this time I was living at Matelle, and it is true that one Dingiralle, of Hangoorankette, and the people of Matelle collected themselves together, having imposed upon me by false and fraudulent stories, misled me and went with me to Dambool, where the following persons, namely, Lenadora Aratchille, Pallegawa Aratchille, the priest Giranagama Unnanse, Elleherra Corale, Aratchille, of the same place, Cottuwegedere Mohandirame, Warapilia Coonammadoowe Lehamralle, Ettipola Banda, of the same village, Bowatte Hollapelle Cawralle, Ookuwela Kiry Banda, Capuralle, of the same village, Ratteralle of the same village, Neyarepola Odeharame, of Cadoowela, Badalmohandirama, of the same village, Melpituge Corale, and all others of Matelle (having conspired together), presented to Lenadora Aratchille three cloths, one jacket, and a silk cloth to be used as a turban, and requested him to dress me with the same (which being done), they then procured a palanquin and nominated me as their head, notwithstanding my refusal, and conducted me from Dambool to the estate of Wariapola.

The people attempted and wanted to set fire to the Tappal stations between Dambool and Gongawela, to destroy the people therein living, and to plunder, but I did not allow them to

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commit those wrongful acts; but those people came foremost to Gongawela and plundered the property there. I hastened after them, and directing them not to plunder property, flogged them with fire rattans until they were smashed to pieces; but seeing that they could not thereby be prevented, I cut two men in their hands with a sword, which put a stop to it. The people likewise wanted to destroy the houses, the Court-house, the Cutcherry, and the people, but I allowed no opportunity for carrying those intentions into effect. I was requested by them to come to Kandy, but I refused, saying, "You have acted according to your own will without listening to what I said, that no injury should be done to any one." Saying so, I went to the estate of Wariapola. A gentleman was then brought there by them whom they wanted to kill, but I saved him and did not permit him to be killed. Having come to know that in consequence of my having prevented them from committing all these aggressions, and chastized the people of their own party, and thereby prevented the plunder, that they intended to take away my own life, and conspired together to constitute some one else as their head, I deserted them. This is all the offence or wrong I have committed. Both your Lordship's soul and my own were created by one God. Your Lordship is a supreme being over this island. Your Lordship's soul and mine will have to communicate with each other before God. I therefore implore, in the name of the God who created your Lordship, in the name of his doctrines, in the name of her Majesty, in the name of her Crown, in the name of all the churches established in different countries subject to British dominion, in the name of the priests who officiate therein, in the name of his Excellency the Governor of Colombo, in the name of your Lordship's royal father and royal mother, and in your Lordship's own name, that I may be pardoned for the said offence or wrong, and that I may be discharged for the sake of charity.

Besides this, having got money from my father-in-law, Gongalagoda Menickrale, I bought buffaloes for him; these buffaloes, together with his household property, were taken by Government, and his house set on fire: I pray that the same may be restored to him.

Kandy, December 1, 1848.

(Signed)

GONGALAGODA BANDA.

Translated by me,

(Signed)

D. A. DE ALURIS,

First Interpreter and Translator of the Supreme Court.

A true copy,

J. E. M. TENNENT.

; No. 44.

(No. 219.)

No. 44.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY.

Queen's House, Colombo, December 8, 1848.

(Received January 24, 1849.)

MY LORD,

* Page 293.

WITH my Despatch, No. 206,* of the 15th November, I transmitted to your Lordship a letter from the Lord Bishop of Colombo, relative to the exemption of the Buddhist priests from the obligations imposed upon all other classes of the inhabitants by the Road Ordinance, and I submitted to your Lordship the grounds upon which I felt unable to recommend compliance with the Bishop's suggestion, that the exemption should be extended to ministers of the Christian religion.

2. I have now the honour to forward, at the Bishop's request, a second letter addressed to your Lordship, in which the plan suggested by him in his former letter is somewhat modified, although the object of it remains the same.

Clause 5 of Ordinance, No. 14 of 1848.

3. His Lordship now proposes, not that the exemption shall be extended to all Christian ministers, but that inasmuch as there is a clause in the Ordinance, which provides that parties may perform the required labour by substitute, the Buddhist priests shall be compelled to take advantage of that clause, and provide substitutes to do the labour for them; and his Lordship further suggests, that the "ample endowments of the temples in land will supply the means for this substitution of labour."

4. With great submission I feel it my duty again to dissent from this proposal, because however true it might be in the abstract, that the value of the annual produce of the temple lands might be sufficient to meet the expenses which would be incurred by providing substitutes, I should be very unwilling to enter prematurely into the question of taxing the temple lands (for it would amount to that), which by treaty in some parts of the country, and by practice in all, have hitherto been entirely exempted from taxation.

5. It is true that the temple tenants are still obliged to perform gratuitous services for temple purposes; in fact, compulsory labour was retained for the cultivation of temple lands, when it was abolished in 1832 for all public pur-

poses. I cannot suppose, therefore, that the Lord Bishop would now propose to compel the temple tenants and servants to work upon the public roads as substitutes for the priests, to whom they are only bound to render services for the cultivation of their lands, and for the performance of religious ceremonies. In reality the present proposition of the Lord Bishop varies from his former one rather in name than in fact; for if it were sought to compel the Buddhist priest to contribute out of the proceeds of the temple lands for the payment of a hired substitute, it would have precisely the same effect as compelling him to pay the amount of his commutation to the Road Committee, which he states that he is unable to do.

6. The Lord Bishop next proceeds to submit to your Lordship a third proposition, which has not before been advanced during all the discussions upon the Road Ordinance, either in the last or in the present Session of the Council. His argument stands upon what is to me a somewhat novel proposition, and may be thus stated, viz., that by common law of England, the State is not empowered to exact any civil duties from spiritual persons, and as an instance that the clergy are in fact exempted even from serving on the jury panel; but to demand from spiritual persons the performance of labour, would be to exact from them a civil duty, which he assumes to be unlawful; hence it must be equally unlawful to impose upon them the payment of commutation for labour, which cannot lawfully be demanded. I confess myself quite unable to deal with such an argument.

7. Finally, the Lord Bishop submits to your Lordship, that the "cause of true Christianity is deeply involved in this question, and that the minds of the uneducated natives cannot fail to be influenced by it;" and he concludes by stating his intention to "seek the counsel of the spiritual rulers of the Church, least by tacit concurrence he should seem to aid in exalting (as he supposes) an atheistic and idolatrous priesthood above the apostolic ministry of the gospel of Christ."

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Enclosure in No. 44.

Encl. in No. 44.

MY LORD,

Colombo, Ceylon, November 28, 1848.

So important an amendment was introduced at a late stage into the Ordinance which has just passed the Legislative Council of this colony, exempting all Buddhist priests both from the required labour and payment in commutation thereof, without extending the same immunity to Christian ministers, that I feel constrained, though reluctantly, to intrude again on your Lordship's attention.

The amendment, which was made public too late to be embodied in my last letter to your Lordship, enacts the prescribed amount of labour, &c. :—

"Provided always, that it shall be lawful for any person to perform labour, when required, by substitute," omitting the words "who shall have elected to perform labour in person," which neither Christian minister nor Buddhist priest could do.

Under the Ordinance, therefore, as it is now presented to your Lordship for the final sanction of Her Majesty, the alternative is not between personal labour and pecuniary payment alone, but of such service as Buddhist priests, in common with Christian ministers, can discharge by deputy. The ample endowments of many of the temples in land (most sure to be benefited by the very improvements for which the tax is levied) will supply the means for this substitution of labour. The ground of our Christian claim is thus strengthened in a tenfold degree, inasmuch as no exemption at all is, strictly speaking, any longer necessary either on religious or political grounds, the alleged conscientious scruples of those who plead personal inability having been removed by the admission of substituted labour under this amendment of the original Ordinance. But if, my Lord, political expediency (of which others are the responsible judges) dictates concession to the Buddhist priest on the one hand, I feel persuaded that, to a Christian statesman I shall not seem to take too high a ground, or make any undue claim, if I seek at least an equal immunity for the Christian minister on the other.

Your Lordship will bear with me while I urge, moreover, that by the common law of England the State is not empowered to exact, nor does it in practice require, any civil duties of whatever kind from spiritual persons, even such services as they are by education most competent to perform, like these of the jury panel, and which involve no degradation of their ministerial calling. To impose, therefore, as this enactment does, a payment on the clergy in commutation for labour, when the labour itself cannot lawfully be required from them as spiritual persons, is in principle unjust, and in its proposed application most partial.

Practically, my Lord, this is a measure of far more grave importance than, theoretically, it

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may seem to be: it involves deeply the cause of true Christianity, and the religious improvement of this colony. It cannot fail to influence greatly the uneducated minds of a superstitious people. Such is my sincere conviction, neither unadvisedly nor hastily formed. Your Lordship will allow me, therefore, to seek the counsel and assistance of the spiritual rulers of the church, not from any misgiving as to your own final decision, but in discharge of that responsibility which must rest with myself if, by a tacit concurrence, I should at all aid the Christian government of this colony in exalting an atheistic yet idolatrous priesthood above the apostolic ministry of the gospel of Christ.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) J. COLOMBO.

No. 45.

(No. 222.)

No. 45.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, December 11, 1848.

(Received January 24, 1849.)

MY LORD,

1. I HAVE the honour to forward to your Lordship copy of an address presented to me by the native merchants and shopkeepers of Colombo, signed by 326 individuals, expressing their satisfaction and gratitude at the steps which I have recommended for relieving them from the payment of the tax of 17. per annum, which was leviable upon the occupiers of all shops of the annual rental of 57. and upwards, by the Ordinance No. 5 of 1848. A Bill for the repeal of that Ordinance is already before the Council, and will be passed immediately.

2. I likewise transmit to your Lordship a copy of the reply which I made to the deputation who waited upon me with the address headed by one of the most influential Parsee merchants of the place. They appear to have been much gratified both with their reception and with the tone of my reply, to which I would beg to request your Lordship's attention, as it will indicate the true spirit with which I have been actuated, and the absence of all misunderstanding with regard to it, on the part of the native traders. In my Despatches, noted in the margin, I have already touched upon the grounds which induced me to repeal the Ordinance referred to, and your Lordship will be gratified to learn that the motives which have influenced me have been rightly appreciated.

No. 203, page 290.

No. 221, page 301.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

Encl. 1 in No. 45.

Enclosure 1 in No. 45.

To his Excellency Lord Viscount TORRINGTON, Governor of Ceylon and its Dependencies,
&c., &c., &c.

THE undersigned merchants and shopkeepers who some time since petitioned your Lordship for the abrogation of the tax which was imposed on shops and boutiques, now beg leave to express their grateful thanks to your Lordship for having abolished that tax.

They beg further to assure your Lordship that they will ever remember with satisfaction and gratitude this generous act of your Lordship, and that for your Lordship's happiness and prosperity here and hereafter, they will never cease to pray.

Colombo, December 4, 1848.

A true Copy.

J. EMERSON TENNENT.

Encl. 2 in No. 45.

Enclosure 2 in No. 45.

REPLY of his Excellency the Governor to the Address from the Native Merchants and Shopkeepers of Colombo, presented December 7, 1848.

GENTLEMEN,

IT affords me much pleasure to receive from you the address which you have just presented to me: I am gratified to find that you have rightly appreciated the good intentions of my Government in relieving you from the payment of the tax which was not long ago imposed upon the owners of shops of a certain annual rental in the principal towns of the island.

You will remember that on a former occasion when you waited on me, I assured you of my

readiness at all times to listen to your reasonable representations when made to me in a becoming manner and at a fitting opportunity, however desirous I may have been at that time to listen favourably to your statements, and to endeavour to meet your wishes in a spirit of kindness and justice; I felt it my duty to withhold compliance with your request at a moment when my own feelings and your intentions might have been equally misunderstood.

It was my wish that the proceeds of the tax on shops should have been applied to the improvement of the towns within which it would have been collected, the amount of it would not have been considerable, nor do I think that it would have been burthensome to the majority of those by whom it would have been paid. At the same time, looking to the present depression of trade, and giving due consideration to your representation of the necessary inequalities in its operation, I have taken an early opportunity of repealing the Ordinance altogether. It is gratifying to me to find that you have rightly comprehended the motives by which I have been actuated on the matter; and I have to offer you my acknowledgments for the kind expression of your sentiments towards the Government and myself.

I have, &c.,
(Signed) TORRINGTON.

(No. 221.)

No. 46.

No. 46.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, December 11, 1848.

(Received January 24, 1849.)

MY LORD,

1. As the end of the second financial year of my administration of this Government is fast approaching, and as during a period of general commercial embarrassment throughout the world, Ceylon must naturally have borne its share of difficulties, in common with many other British colonies, I propose, in this Despatch, to place before your Lordship a brief retrospect of the financial policy which I felt it my duty to pursue, and which has received the sanction of Her Majesty's Government in the various stages of its progress.

2. In my Despatch No. 20 of the 8th June, 1847, and its enclosure, I announced to your Lordship the disappointments which I had felt on learning that the large anticipated balance which I had expected to find in the public cash chests of the colony was, to a great extent, imaginary, and that the revenue of the preceding year, 1846, had fallen off as compared with that of 1845, by the sum of 37,743*l.*, while the comparative expenditure within the corresponding periods had increased by the sum of 49,973*l.*

3. It was still more unsatisfactory to me to find that the total expenditure of the year 1846 had exceeded the revenue for the same period by the sum of 81,801*l.*, which therefore went in diminution of the balance in hand at the commencement of the year; that balance having accumulated during the three preceding fortunate years, in which the first opening of the coffee estates, the large concomitant expenditure of British capital, and the general impulse given to the apparent prosperity of the colony by too sanguine hopes with regard to the future, exercised their natural influence upon the public finances; so much so, that the public income increased during the interval which elapsed between 1842 and 1845 by not less a sum than 132,000*l.*, without any assistance from a pearl fishery.

4. It could not be expected, however, that so large an amount of revenue would be long maintained, and it became obvious that measures must be taken for largely reducing the expenditure with the least possible delay. I lost no time, therefore, in issuing the circular, transmitted to your Lordship with my Despatch above-mentioned, in corroboration of one of a similar nature issued by my predecessor shortly before my arrival, the result of which was an immediate suspension of all new works, and the restriction of expenditure upon those which it was absolutely necessary to continue, within the most economical limits.

5. I did not fail to bear in mind that the recommendations contained in the Report of the Committee of the 13th April, 1847,* transmitted to me with your Lordship's Despatch of the 18th June following, supported by the qualified concurrence of Her Majesty's Government, were based in a great measure upon the supposition of a considerable accumulated fund in hand, and a large probable annual surplus in future. The difficulty in which I found myself placed

Revenue of 1845	£. 454,146
Ditto, of 1846	416,403
	£37,743
Expenditure of 1845	448,232
Ditto, of 1846	498,205
Difference	£49,973

Revenue, 1842	£. 322,369
Ditto, 1845	454,146

No. 20, 8th June, 1847.

* Vide Papers presented to both Houses by Command, April, 1848.

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on discovering that both these anticipations were likely to be unfulfilled was not trifling, and my anxiety was still further increased by the gloomy aspect of the commercial affairs of the island, and more particularly by the discouraging prospect of coffee planting, upon which so large an amount of European capital had been expended. The cinnamon trade had already languished so much, that the only encouragement which remained to keep alive the energies of the growers appeared to rest on the hope either of a large reduction or of the total abolition of the export duty on that article.

6. It is not my purpose to enter at present into a detailed inquiry into the possibility of adopting within any very short period many of the important suggestions contained in the Report of the 13th April, 1847; for the altered state of the finances of the colony, to which I have before adverted, has necessarily imposed upon me the utmost caution in dealing with subject embracing so many points of difficulty. The total abolition of the export duties, and the reduction of certain import duties recommended by your Lordship's Committee, were designed to be accompanied by the imposition of a general land-tax founded upon a general survey of the island. These constituted, in fact, the basis of the whole scheme of the proposed financial changes to which Her Majesty's Government had given their assent, and which were only recommended for my adoption with a specific reservation as to the full weight which should be attached to the practical objections and local difficulties which might be developed in the attempt to carry into effect a scheme so novel and extensive.

7. The difficulties of a general survey and settlement of Ceylon have in fact been found to be far greater than I could have anticipated, and the time required for making even the initiatory steps of such an undertaking much more protracted than I could have wished. In my Despatch No. 150 of the 8th November, 1847, I pointed out the practical difficulties which had been suggested by the Surveyor-General, in making any attempts to introduce the proposed system of taxation as a general measure, difficulties depending not merely upon the peculiar features of the country, but also upon the complicated tenures and infinite subdivision of properties. The Ordinance No. 8 of 1847—"To require returns of lands under coffee cultivation," was passed with a view to ascertain what probability there might be of making an early commencement of the system, by first taxing lands which had been recently acquired, and the boundaries of which were generally sufficiently well defined. But the general depressed state of coffee cultivation put it entirely out of my power to impose any new burthen upon the owners of the land.

8. The cinnamon trade had become equally depressed; and, to add further to the difficulty, it was found that, with regard to cocoa-nut lands, the tenures of them were in many instances so peculiar, and the extent and boundaries of native plantations so undefined, that the imposition of any equitable tax upon the soil could only be effected after considerable progress had been made towards a general survey.

9. After patient and minute inquiry into this difficult question, which was repeatedly the subject of discussion in the Executive Council, I submitted to your Lordship, with my Despatch No. 57, of the 16th March last, the general outline of a complete scheme for ultimately effecting the survey and settlement of the whole island; and I suggested the machinery which appeared to me to be best calculated for its accomplishment. Your general approval of the plan proposed has encouraged me to proceed further in the development of the scheme, which, however, must inevitably be retarded both by its own inherent difficulties, and by the present uncertain condition of the public finances.

10. Reverting, then, to the admitted necessity of affording as much immediate assistance as possible to the depressed trade and cultivation of the island, it became my duty to endeavour to relieve it from the pressure of those burdens which bore directly upon it, without attempting to substitute other duties in their place; or, in other words, without waiting until a direct tax on land could be imposed in lieu of the duties payable on the produce.

11. Giving due weight to the many representations which were made to me upon the subject, I found it impossible to delay the total abolition of the export duties upon all articles of produce except cinnamon, and the reduction of the duty on the latter from 1s. to 4d. per lb., preparatory to the early abolition of it altogether.

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No. 157, 13th Nov.
1847.
No. 195, 13th Dec.
1847.

12. My Despatches noted in the margin have already fully explained to your Lordship the various alterations which have been made in the customs' duties, by the Ordinance No. 9, of 1847. I shall, therefore, on the present occasion merely advert to the amount of revenue which has been abandoned, and consequently to the degree of relief which has been afforded to the planting community and to the general cultivation of the island. I dwell upon this point with the greater satisfaction, because I have observed that great misapprehension has prevailed in some quarters upon the subject; and while undue stress has been laid upon the assumed imposition of new taxes, no account whatever has been taken in the public mind of the far larger amount of burdens which have been removed.

13. The amount of cinnamon duty levied in each of the last three years at 1s. per lb. upon all sorts, was as follows:—

		Cinnamon Exported.		
1845	.	.	.	£20,410 11 0
1846	.	.	.	20,082 16 0
1847	.	.	.	22,368 9 0

The relief afforded to this cultivation, therefore, by the reduction of duty would be upon last year's crop nearly 15,000*l*. The relief to the present year's crop must be somewhat greater; because some inferior cinnamon will probably be now sent home, which would not have paid the cost of gathering at the old rate of duty. The loss therefore to the revenue will not be quite so great as might have been expected, for the duty will be levied upon a somewhat larger export. But I feel bound to state that the immediate effect of the reduction of duty has not been so influential as I had hoped in encouraging an increased export of low qualities of cinnamon, owing to the little demand for that description in the home markets. The quantity exported this season since the reduction of the duty on the 1st September, up to the 9th of December, has been 422,770 lbs.; and the quantity exported between the 6th January and the 1st September, at the old duty of 1s. per lb., was 38,597 lbs.: so that the total export of the year will prove to be about 461,367 lbs., against 447,369 lbs. in 1847. If any hope is to be entertained of being able to continue the growth of third-class cinnamon for any long period, it will be necessary not to defer the taking off the remaining duty on cinnamon longer than the state of the public finances absolutely demands.

14. With regard to the next important item—coffee, the total quantity exported during the last three years, including plantation and native kinds, was as follows:—

	Coffee Exported.	Quantity.	Value.			Duty.		
		Cwt.	£.	s.	d.	£.	s.	d.
1845		178,604	363,259	11	0	9,081	16	0
1846		173,892	328,791	3	0	8,220	9	0
1847		293,220	453,624	18	0	11,417	9	0

It will be evident, therefore, that as there will probably be a slight increase in the quantity of coffee exported during the present season, in consequence of an increased number of estates coming into bearing, although some few others may have been abandoned, the relief afforded to the coffee planters may be taken at about 12,000*l*., with a corresponding loss to the revenue for the year 1849. At the same time, it is necessary that I should remark that a diminution in the export of native coffee may be looked for, owing to the very low prices at home; and whatever increase there may be, will be found under the head of plantation coffee only.

15. The amount of relief afforded to the tobacco growers of the Northern Province, the cocoa-nut planters, and to the native cultivators of a vast number of minor articles of export, will nominally amount to upwards of 3000*l*., but, in reality, to a much larger sum; for I am informed that the cultivation of tobacco, areca-nut, &c., has already received a stimulus from the abolition of the duties. Nor must I omit to recall to your Lordship's recollection that the tonnage dues on shipping have been reduced by the Ordinance No. 4, of the present year, by which the native shipping will be much benefited, and that

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in no part of the East, and indeed in few colonial Ports, are the charges on shipping so light and so little burdensome as in the ports of Ceylon.

16. From the foregoing observations, it will be apparent, that instead of having imposed upon the people excessive and burdensome taxation, I have been instrumental, under your Lordship's instructions, in relieving the productive industry of the country from direct immediate charges to the extent of about 30,000*l.* annually, accompanied with the additional advantages which must ultimately result from the abolition of a system of export duties ever objectionable in principle and injurious in their operation. At the same time, with a view to assist the cultivation of estates, measures have been taken, in concert with the Government of India, for legalizing and facilitating the introduction of coolies into the island, and for better insuring their protection while resident in it. I am aware that something yet remains to be done in this direction, but I am enabled to state with confidence that much must be attributed to the natural reluctance of coolies to return to estates on which they have been irregularly paid, and that a portion of the crops will be lost upon some few of the estates, owing to the refusal of coolies to work until the arrears long due to them have been made good.

17. It remains for me to notice the different measures which have been adopted for replacing, to a certain extent, the losses incurred by the reduction of the duties. At the same time, I cannot lose sight of the fact, that I have sought to place reliance for the future, much more upon judicious retrenchment of expenditure, for the due adjustment of the finances, than upon any increased receipts to be derived from new sources of taxation. In compliance with your Lordship's repeated injunctions, I have taken every opportunity of exercising strict economy in the contingent expenditure of the colony; and, in pursuance of the instructions contained in your Despatch No. 252,* of the 17th July last, I have appointed a committee, who are at present actively engaged in reviewing the whole of the establishments, and in making every practicable reduction in the fixed as well as unfixed expenditure, which the necessary efficiency of the public service will permit. I have every confidence that a large diminution of expenditure will ultimately be effected, and I look forward to the best possible results from a total remodelling of the establishments and an improved system of administration. But it must be obvious that much caution must be used,—that alterations are not of necessity to be regarded as improvements, and that the claims and engagements of individuals have to be considered not less than the demands and the obligations of the Government. Time, therefore, is indispensable for the thorough consideration and discussion of all the details of a measure so pregnant with important consequences both to the public service and to the colony; but I entertain a confident hope that I shall be enabled to present to the Legislative Council during its next session, in the autumn of the ensuing year, a well-digested plan of wise and permanent retrenchment.

18. In the meanwhile, it is equally obvious that the efficiency of the public service must be maintained; nor can I permit myself to doubt that the public revenue will be adequate to this necessary object. With my Despatch No. 180, of the 11th October,* I forwarded to your Lordship the returns of the revenue and expenditure for the first six months of the present year; from which it was apparent that there was an excess of revenue over the expenditure of that period of 14,594*l.*; and, notwithstanding the large unforeseen expenses which must have been since occasioned by the military operations in the Kandian country, I am not without a reasonable hope that the revenue of the whole year will eventually prove to be adequate to its entire expenditure, or that the deficiency, if any, will not be large, notwithstanding the unlooked for charges for military purposes which recent events have entailed upon the colony.

19. It is worthy of remark, that amongst the various Ordinances which have been enacted since the commencement of the present year, having reference to taxation of whatever kind, the only one upon which I founded a hope of any considerable addition to our revenue, was the Ordinance No. 2, of the present year, for making a new adjustment of the stamp duties, which was transmitted with my Despatch No. 36,* of the 9th February. The repeal of the old Stamp Acts had become absolutely necessary; and the modifications introduced into the new Ordinance have been generally admitted to be improvements, while there is much reason to anticipate an increase of revenue, from sources which

* Page 331.

* Page 233.

* Page 69.

have not afforded grounds for complaint. As the new scale of stamp duties only took effect from the 1st day of June last, sufficient time has scarcely yet elapsed to enable me to place before your Lordship a satisfactory view of the results of the measure; but I may be permitted to notice, that among the various Ordinances which have recently excited observation, this, which is the most important one, as regards the revenue, has been the subject of no complaint.

20. In my Despatches, noted in the margin, I have entered into a full explanation of the grounds upon which certain modifications have been lately introduced into the Road Ordinance and the Fire-arms Ordinance. From the former of those Ordinances I anticipate the most valuable results in progress of time, in proportion as its operations shall be extended to the different districts of the colony. Unworthy attempts have been made to misrepresent its effects either as equivalent to the imposition of a poll-tax, or to the restoration of forced labour, or to the union of these two objectionable imposts together. I have reason to believe that a better understanding of the object and the probable working of this Ordinance is beginning to prevail. It is in no sense of the word a poll-tax, neither is it in any degree a restoration of the rajaharia or king's labour, with all its attendant abuses. No man can be called upon either to labour or to pay the commutation for any work whatever at a greater distance than 20 miles from his residence, and very frequently not more than 7 miles. No man can be compelled to work in person, but all may either work by substitute or pay the regulated commutation, which will not necessarily amount to 3s., but in some parts only to 1s. 3d. or 1s. 6d. for the year; or for each year in which the labour may be required, and, in point of fact, both the commutation money and the labour must be applied to works which being in his immediate neighbourhood must be directly advantageous to himself; and lastly, if no such works are required, nor any improvements immediately necessary in his own neighbourhood, neither will the individual be called upon to work or to pay within the current year.

No. 202, page 268.
No. 203, page 290.
No. 206, page 293.

21. With regard to the Fire-arms Ordinance, it was universally admitted, that the time was come, when owing to the large importation of arms within the last few years, the numerous accidents which occurred from the careless use of them, the wilful murders which were committed (as, for instance, the murder of the late police magistrate, Mr. Dick), and the required improvement of the police system of the country, a registration of arms had become indispensable. Nor was it lost sight of that an addition to our revenue might be obtained by issuing annual licenses for the use of these weapons. In so far modifying the Ordinance as to make only a single registration necessary instead of the yearly renewal of it, I have retained the most important advantage of the original measure, without at all modifying the principle upon which it was introduced.

22. The remaining Ordinances which in any degree exacted payment for a license, and were somewhat unjustly represented as taxing Ordinances, were in reality adopted rather with a view to enforce proper police regulations and for the general advantage of the public, than with the object of any material increase of the revenue. Such, for instance, were the Carriage and Boat Ordinance, the Dog Ordinance, and the Traders' Ordinance. There existed previously no regulations with regard to carriages and boats plying for hire, nor were their owners subject to any efficient control. They were not responsible for the behaviour of their servants, nor were they restricted to the exaction of any regulated fares. The Dog Ordinance was adopted entirely for the prevention of cruelty and for the diminution of a great public nuisance. Similar Ordinances have been enacted in the Australian Colonies, the West Indies, and other parts; but it has been found peculiarly difficult in this country to attain by it the object for which it was enacted, and it has therefore been repealed.

23. The only taxing Ordinance which requires any further comment is the Traders' Ordinance; a tax of 20s. a-year could scarcely be considered burthensome upon the greater part of the proprietors of shops in the principal towns, and it was always my purpose (as stated in my original Despatch upon the subject of this Ordinance) to devote the proceeds of this tax to the improvement of the towns within which it would have been collected. Nevertheless I have thought it expedient to repeal this Ordinance, on account of the present depressed state of trade and the inequalities which necessarily resulted

No. 5 of 1848, with
No. 88, 3rd May,
page 107.

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* Page 300.

in its operation upon different classes of traders. The amount to be raised under its continued operation would not have been large, and it will be satisfactory to your Lordship to find that the motives which have influenced me in recommending its repeal have been justly appreciated by the native merchants and traders of Colombo, whose address to me, together with my reply, I transmit to your Lordship, with my Despatch, No. 222,* by this mail.

* Page 339.

24. In thus briefly recapitulating the various points of the financial policy lately adopted in this colony, and which have from time to time been more fully detailed in my numerous Despatches to your Lordship, it is very satisfactory to find that the view which your Lordship has taken of the origin of the late disturbances, tends entirely to the corroboration of the conclusions at which I had arrived while cautiously observing the progress of events on the spot. I feel grateful for the expression of Her Majesty's approval of the measures which have been taken for the suppression of the disturbances communicated to me in your Lordship's Despatch, No. 303,* of 24th October, and I am much encouraged by your Lordship's assurance, that your confidence has been in no degree shaken by the occurrences to which reference has been made.

Earl Grey's Despatch, No. 303, of 24th October.

25. The amount of taxes from which the industry of the country has been relieved is so large in proportion to the small amount of taxes which have been imposed, that your Lordship has already seen abundant reason to infer that "if it were true as has been in some quarters asserted, that these Ordinances were the immediate causes of the outbreak, they could only have been so in consequence of the studied misrepresentations of their effect which had been deliberately disseminated in a great degree by European agency, and that the disturbances could not be attributed to anything really oppressive either in the nature or the amount of taxes imposed."

26. I had already anticipated your Lordship's wishes by carefully weighing every practical objection to these laws, with a view to the removal of every provision that might appear calculated to press with harshness or injustice either upon classes or upon individuals, and with the cordial assistance of the Executive and Legislative Councils the necessary steps have been already taken for remedying defects which must in the first instance be likely to attach to every new system on its first introduction. The modifications which have been made in the working of the Road Ordinance and in the registration and licensing of fire-arms, will, I trust, be found sufficient to meet the practical objections which may have been urged, and I am persuaded that the operation of them will be in every respect advantageous to all classes of the inhabitants, both native and European.

27. I shall not fail to use every effort in my power to follow out the other recommendations conveyed to me in your Lordship's Despatch, No. 303, of the 24th October, upon the subject of the acquirement of the native languages by the servants of the Government; I had already endeavoured to meet your Lordship's previous instructions upon that subject, by the issue of a circular, dated 5th July, 1847. I likewise attach the highest importance to giving increased opportunities to the natives of the interior (for which I had already prepared the way, by the publication of the Minute transmitted with my Despatch, No. 178, of the 15th December, 1847) of communicating freely with the responsible agents of Government, in order that their just representations may be carefully considered, their unfounded apprehensions or erroneous notions, with regard to the intentions of Government removed, and that they may learn to look up at all times to the Government as their real benefactor no less than their legitimate protector.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) TORRINGTON.

(No. 224.)

No. 47.

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No. 47.

EXTRACT of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY, dated Queen's House, Colombo, December 13, 1848.

"(Received January 24, 1848.)"

"1. I have the honour to transmit to your Lordship copy of a report addressed to the Colonial Secretary, by Mr. Wodehouse, the Government Agent for the Western Province, giving an account of a tour which he had made through a portion of his province with a view to explain to the people the general measures of the Government, and especially the nature of the Road Ordinance, and likewise to ascertain, by personal observation, the state of his province.

"2. I would beg to invite your Lordship's particular attention to this report, which, like everything that proceeds from Mr. Wodehouse, is full of valuable information. I entirely concur in the views which he has expressed, and I shall not fail to give due attention to the suggestions it contains.

"3. It will at once be seen how readily the people comprehended the benefits which they were likely to derive from the operation of the Road Ordinance, when the nature and mildness of its provisions were properly set before them, how willingly they came forward to have their guns registered (many of them of the most imperfect description, manufactured in the island), when they found that there would no longer be an annual renewal of the charge for the licence, and how anxious they were for the means of extending and improving their agriculture.

"4. I shall not omit to pay early attention to the subject of the police assessment at present levied in certain places, alluded to in the seventh paragraph, in which an expensive police is neither absolutely required, nor are the people in a condition to pay for it without inconvenience."

Enclosure in No. 47.

Encl in No. 4

Government Agent's Office, Colombo,
December 12, 1848.

SIR,

1. HAVING just returned from a circuit through a portion of this province, undertaken for the purpose of registering guns, and explaining to the people the intentions of the Government in respect to that and other measures, I think it my duty to make the Right Hon. the Governor acquainted, without delay, with the names of the districts visited, the nature of the explanation given, the manner it was generally received, and the remarks made by the people on different occasions.

2. On leaving Colombo I travelled northward as far as Negombo, and from thence proceeded eastward through the Alootcorcorle to the centre of the Hapitigam Corle, not far distant from the borders of the Kornegalle district, and from thence crossing the Kandy road to the southward, went to Attenegalle in the Cine Corle, close to the borders of the Four Korles and of the Three Korles, and returned through the villages of the Cine Corle to Heneratgodde and Mahare on the main road to Kandy. During this journey the people were assembled at Mabolle, Jayelle, Negombo, Minnangodde, Doonogaba, Mugaragampola, Attenegalle, Heneratgodde and Mahare. At Minnangodde, Attenegalle, Heneratgodde, and Mahare, the numbers collected were very large.

3. In explaining the intended alterations of the Ordinance respecting the registration of guns, I pointed out that when his Excellency became, in the first instance, alive to the imperative necessity of obtaining a registration of all the fire-arms in the colony, he was disposed to believe that a considerable annual revenue might, with propriety, be derived from this source; and accordingly gave directions for the preparation of the Ordinance subsequently passed by the Legislative Council for giving effect to that scheme. That information, subsequently received, made the Governor aware that the tax could not be annually collected without much inconvenience to the people; that the amount was very high in proportion to the value of the mass of the guns possessed by them; and that the obligation to furnish written applications for licenses was also irksome and objectionable; that the disposition shown in some parts of the country to oppose the Government and resist the law by force, had, for some time, put it out of the Governor's power to make any concession or alteration of the objectionable provisions of the law. But that the severe punishment which had since been inflicted upon the disturbers of the public peace, must have convinced all classes of the hopelessness of attempting forcible resistance, and therefore left his Excellency at liberty to make the modifications called for by the public convenience; that with this view, the licenses would be made permanent instead of annual. The written applications would be dispensed with; the license issued for a gun would be transferred, in the event of its sale, to the new owner on payment of 1s. only. And if it were found necessary to put a new stock to a gun, it would be numbered

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at the Cutcherry free of charge on production of the old stock which would be destroyed. That having made these modifications, it was the Governor's positive determination to enforce a complete registration of all fire-arms, and to punish to the full extent of the law all persons wilfully concealing their guns. That it was impossible for parties to possess guns for any length of time without the knowledge of the local headmen, in whose case severe notice would be taken of concealment of offenders; and that, at the conclusion of my circuit, the registers would be carefully examined, with the view of ascertaining from what districts and villages the guns had principally been brought forward.

4. There appears to be every reason to anticipate good results from the line of proceeding which has now been adopted by the Government. The guns were freely brought forward; so much so, that during my journey 4930 stamps have been issued. Many were brought with the stocks unfinished, some without stocks at all. People who were unable to attend at the place fixed for their own district, made their appearance subsequently at other convenient places; and no secret was made of their previous intention to destroy or bury their guns if their liability to an annual payment for a license had been continued.

5. In explaining to the people the provisions of the Road Ordinance, and the manner in which they were intended to be carried into operation, it was my endeavour to associate as far as possible with that measure the consideration of others which are imperatively required for the management and improvement of the grain cultivation of the colony. I pointed out that for some years past they had, at the expense of comparatively little labour, been acquiring large sums of money from European settlers in the colony, and had been thereby led to neglect the cultivation of their own lands; that from this cause, and from the omission on the part of the Government to frame such laws for the management of these matters as became necessary in consequence of the abolition of compulsory labour, much confusion had ensued, and much loss both to the proprietors and to the Government.—That they must be well aware that the influx of European capital had, in a great measure, ceased; and that, if they were desirous of improving or even keeping up to their present condition, it must be by industrious, unanimous, and persevering cultivation of their own lands.—That the Government was fully alive to their present condition and wants, was desirous of assisting them as far as practicable, and was giving its attention to the preparation of an Ordinance for the due regulation of agricultural affairs. I then proceeded to point out to them that the Road Ordinance had been brought forward and enacted mainly with the same object of developing the resources of the colony, by improving the means of access to all its parts; that in the case of all other taxes the money was paid, and they knew nothing as to its disposal, whereas in this instance they had the satisfaction of knowing that their labour and money must be expended within a limited distance of their place of residence, and that they must derive direct benefit from the application of them.—That no direct revenue would accrue to Government, as whatever was levied must be expended.—That they had the option of paying or working in person or by substitute, and might work for a longer period, receiving subsistence-money.—That care would be taken to call out the labour in the most equitable manner, and at the most fitting and convenient season.—That whereas many small works, undertaken by themselves, had hitherto failed for want of a controlling authority, or of a small amount of money where money was indispensable; now, on the contrary, the controlling authority was provided, and the Government was prepared to grant small sums in aid of works out of the general revenue.—That every effort had been and would be made to render the operation of the Ordinance as little inconvenient to them as practicable, but that as the Government was fully satisfied that it would in its effects prove most beneficial to the colony, it was determined to carry it out firmly and steadily. It anticipated no opposition from the respectable and industrious portion of the community, and it was therefore quite prepared to bring to punishment the idle and disorderly who might attempt to refuse or evade contributing the share due from them for the general good. I also pointed out the importance to themselves of electing for their division officers the most respectable people, endeavouring at the same time to show that the officer would be well worthy of their acceptance, inasmuch as in addition to the salary to be assigned to them, they would have many opportunities of making known and providing for the wants of their respective localities, and of showing by their activity and intelligence in the discharge of their duties that they were well worthy of advancement in the public service.

6. In every instance the behaviour of the people was most respectful and orderly; they listened patiently and quietly to all that was said, and afterwards asked for explanation on points as to which they were in doubt, or stated the objections they entertained. At one place a few men said they were too poor to pay and too good to work; but as the latter was not the case, they met with no sympathy from the others. At another place one or two said they could not pay, and could not work on the roads, as they were obliged to work hard every day of their lives for their subsistence; an assertion notoriously untrue. At most places different parties urged the advantages to be derived from opening lines of road in which they were specially interested. All were informed that no assistance could be given for any such purpose until the Ordinance was fairly in operation, and that it was therefore for them to promote it to the utmost of their power. In short, I see no reason to anticipate any difficulty of importance in carrying out the Ordinance in the districts through which I have passed, if proper care is taken as to the arrangement of distance, and in calling out the labour at the proper season. All were alive to the necessity for a proper system of agriculture, and numerous representations were made of the injuries they now sustained from the want of it.

7. Before concluding this communication I should wish to call the attention of the Governor to representations made at different places upon subjects somewhat foreign to the immediate object of this report, but which are well worthy of the consideration of the Government. At

Negombo strong remonstrances were made against the liabilities of the inhabitants to assessment under the Police Ordinances. This has for some years been a constant cause of complaint with them. On a former occasion their representations led to a very considerable diminution of the limits within which the assessment was levied. Those now liable state they are many of them poorer than those relieved from it. That they do not require such an extensive police; and that other towns of similar size are not called upon to pay for it. This last statement is undoubtedly true, and it should not be forgotten that very recently an Ordinance has been passed, authorizing the Governor to make all the powers of the Police Ordinance applicable to any particular locality, without entailing upon it an expensive establishment. I am inclined to think that such a course ought to be taken at Negombo, for there can be no doubt of the poverty of the fishing population, nor of the difficulty of levying the assessment, which generally remains unpaid until the agent or his assistants visits the place for the purpose of seizing and selling their property.

8. At two or three places they complained that they could not bring before the Police Courts cases of cattle trespass, but were compelled to have recourse to the more distant and inaccessible District Courts. I replied that this state of things had, I believed, arisen out of late decisions of the judges of the Supreme Court, some of whom had held that under the Ordinance No. 2 of 1835, police magistrates had no jurisdiction in such cases, but that a Collective Court would, it was understood, be shortly held, when the real state of the law would be determined, and the Government would be enabled to take such steps as circumstances should show to be necessary. I would beg, however, to suggest that the attention of the Queen's Advocate be drawn to the matter, and to the necessity, under any circumstances, for an alteration of the Ordinance No. 2 of 1835, which requires a man to go before the Police Court to get an offender fined, before the Court of Requests to recover damages, and before the District Court for an order to shoot a wild and refractory bullock.

9. Another representation was made at Heneratgodde of a more general and more important character. A headman stated that the people, while admitting the utility of opening roads through the villages, complained that they were to a great extent prevented from taking advantage of them, that they would frequently wish to settle and build on the borders of them, but that they could not afford to pay 1*l*. an acre for the land belonging to the Crown. I could only reply that it was not in his Excellency's power to make any reduction in the upset price which had been fixed by the home Government, but that I would not fail to bring their statements under consideration.

10. There are, I think, many reasons for recommending the reduction of the price of Crown land. While there was a great demand for it on the part of the European settlers, and a disposition was shown to buy up large tracts, not for cultivation, but for re-selling as a matter of trade, a high upset price was calculated to afford a wholesome check. That state of things has, however, in a great measure, passed away; but even if it had not, it does not appear to me why all classes of applications, great and small, should be treated exactly in the same manner, nor why, because a certain price was set upon a large and valuable tract, a village should be required to pay at the same rate for an isolated piece in his own village, perhaps close to his own door. The more he cultivates, the greater must be the gain, not only to himself, but in some shape to the Government. Indeed the maintenance of such a price will in many cases prevent the sale altogether, and encourage the native to appropriate for nothing what he would readily purchase at a more moderate rate. They are all alive to the value of and anxious to obtain legal titles to lands upon reasonable terms, but such is the present state of the country and of the law respecting encroachments, that it is almost impossible to prevent them in the rural districts. No penalty attaches to the act of making them, the party simply runs the risk, if discovered, of being ejected by a process much more troublesome to the Government and its officers than to himself, and perhaps immediately resumes possession in the name of a relation or partner in the cultivation.

11. I will not intrude further upon the Governor on the present occasion, but trust that sufficient has been said to induce his Excellency to bring this important question under the early consideration of Her Majesty's Government.

I have, &c.,
(Signed) P. E. WODEHOUSE,
Government Agent.

The Hon. the Colonial Secretary,
&c. &c. &c.

(No. 226.)

No. 48.

No. 48.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, December 15, 1848.

MY LORD,

(Received January 24, 1849.)

It is my duty to forward to your Lordship the accompanying memorial, signed by the chairman and secretary of the Chamber of Commerce on behalf of its members, in reply to the remarks contained in your Lordship's Despatch to myself, No. 304, of the 24th October last.*

* Page 341.

2. A few remarks will suffice to place before your Lordship the nature and spirit of this memorial. In the first place, they now deny that they addressed

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two memorials to your Lordship, but state that one of the two which I transmitted to your Lordship with my Despatch, No. 147, of the 15th August, did not emanate from the Chamber, but from the public.

3. It is true that the first of those memorials purported to be from the "undersigned merchants, planters, and traders of Colombo," and the second purported to emanate from the Chamber of Commerce. But of the 16 names attached to the first of those memorials (forming Enclosure No. 2 of my former Despatch), 11 were also attached to the second memorial; and it is worthy of remark that the first name appended to the first memorial was that of Mr. Layard, who was then secretary to the Chamber of Commerce, and the second name was that of its chairman, Mr. Ritchie.

4. It is also remarkable that of the 15 names attached to the other memorial, which they admit to have emanated from the Chamber of Commerce, there are only four which are not found among the list appended to the first memorial which they now declare did not emanate from the Chamber of Commerce. Now, in point of fact, the first or public memorial may rather be said to express the sentiments entertained by the Chamber of Commerce than the second, for a protest was transmitted to your Lordship by certain influential members against the latter, which materially diminished any value that might be thought to attach to it.

5. It is impossible therefore to escape the dilemma of identifying both these memorials as conveying the sentiments of the same individuals.

6. A second error also appears in their present memorial. They state that their memorial was not published until the 21st August, whereas the first memorial emanating from the same parties was published in the "Observer" of the 17th of that month, accompanied by Dr. Elliott's first letter addressed to your Lordship, dated the 15th August. In the "Observer" of the 12th of that month it is also announced, "that the Chamber of Commerce had memorialized the Secretary of State, ascribing the discontent of the people to the new taxes." I need not remind your Lordship that the rebellion was then at its height.

7. The merchants next proceed to state that they represent individually, and as agents, a very extended interest in the colony. As agents certainly, I admit that some of them represent the proprietors of large properties, but it by no means follows that they represent their political opinions, and there are many others who, like Sir Herbert Maddock, would reject absolutely the slightest possible connexion between the shipment of his coffee or the purchase of rice for his estate, and the public expression of his opinions on general subjects.

8. Finally, in another paragraph they assume to themselves the name and position of a "deliberative assembly." This expression might possibly have been unintentionally used, but I think it right to invite your Lordship's attention to the point.

9. I have only further to remark, that the Chamber of Commerce so called is at present composed of about 27 individuals, of whom 7 resident members are partners in three mercantile houses.

10. Five others signed the protest, and therefore dissent from the rest; two are absent from the colony, and three at least take no part in its proceedings, nor have signed any of its memorials.

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed)

I have, &c.

TORRINGTON.

Encl. in No. 48.

Enclosure in No. 48.

To the Right Honourable the Earl GREY, Her Majesty's Principal Secretary of State for the Colonies.

The Memorial of the Members of the Chamber of Commerce of Ceylon.

RESPECTFULLY SHEWETH,

THAT your memorialists have been honoured by the Governor Viscount Torrington, with a copy of your Lordship's Despatch, bearing date 24th October last, No. 304, and believing themselves to have been misunderstood, they beg leave respectfully to offer the following remarks to your Lordship.

In the first paragraph it appears to your memorialists, that your Lordship has confounded two memorials which have no relation whatever to each other, and replied to both as emanating

from the Chamber of Commerce, whereas there was but one forwarded by that body, viz., the one to which the protest was appended, with the letter of the Honorary Secretary of the Chamber, of the 12th August, to the Honourable the Colonial Secretary; the other memorial was from the public, and neither emanated from the Chamber, or does it exist upon its records.

In the second paragraph your Lordship states, that in a letter addressed to the Colonial Secretary, by certain other members of the Chamber, they express their dissent from the statements contained in these memorials. If your Lordship will again refer to the letter, you will find that you are in error upon two points. In the first place, the letter does not refer to "memorials," but simply to the memorial of the Chamber of Commerce, which it terms "an uncalled-for interference, and highly improper at this juncture," but there is not one word in it intimating dissent from its statements.

In the third paragraph your Lordship observes, "that you have received their memorials, but that it is out of your power to comply with their prayer, by appointing a Commission of Inquiry, as they desire, but for which you find no adequate reason assigned." A rebellion had taken place (under the evil effects of which the colony is now suffering most deeply), the memorial stated that "estates were being abandoned, business was at a stand still, and that unless some measures for relief were taken, the colony would in another year be involved in total ruin!" In these circumstances your memorialists were under the impression that your Lordship would have found an adequate reason for their prayer for a Commission of Inquiry; they regret to perceive that such is not the case.

In the same paragraph your Lordship alludes to the public meeting in Kandy, "presided over by a gentleman of such high character and station, and of so much experience in the affairs of India as Sir H. Maddock." Your memorialists do not presume to question Sir H. Maddock's attainments, his high character, or his acquaintance with the affairs of India, but they cannot help stating their conviction, that his acquaintance with the affairs of this island is too recent and limited to enable him to form an accurate judgment of what is best calculated to advance its interests and prosperity.

In the fourth paragraph your Lordship, again confounding memorials which have no connexion whatever with each other, states that the same contain "inaccurate statements of the real nature of the measures and policy of the local authorities. As the memorial of the Chamber of Commerce does not allude to the policy of the local Government, but contents itself with merely pointing out the true position of the colony, and praying for a Commission of Inquiry. Your memorialists conclude that this charge of inaccuracy must have reference to the public memorial, and consequently that it would be out of place for the Chamber of Commerce to make any comment upon your Lordship's imputation.

Your Lordship is pleased to term the publication of the Chamber of Commerce Memorial "ill-timed and imprudent," whereas on the date of the Despatch to which your letter purports to reply, no publication whatever of the document had taken place. Your Lordship's letter is in reply to Lord Torrington's Despatch of the 15th August. The publication of the memorial did not take place until the 21st of the same month, when the rebellion had been for some time quelled, nor would it then have been given to the press, but for the circulation of garbled and inaccurate statements of its contents.

Whilst wishing to show every respect to the confidential adviser of Her Majesty, as well as to the members of the local Government, the members of the Chamber of Commerce consider that they represent so extended an interest in the colony, (not only individually but indirectly) that they would have been wanting in their duty to themselves and to the many who rely on them, if they had failed to bring directly to the notice of your Lordship, their opinions on the occasion in question; and though they cannot boast of unanimity, yet the majority which carried the address of their former letter to your Lordship, was such as is seldom obtained in other deliberative assemblies, on questions of great public excitement, viz., four-fifths of the whole.

The members of the Chamber of Commerce concur with your Lordship in deeply regretting such errors of judgment as may have occurred among the conductors of the local press; but as the Chamber has never in any one instance appealed to its influence, your memorialists do not see the force of your Lordship's inferences, or that the slightest responsibility attaches itself to them for those errors.

The members of the Chamber of Commerce feel, moreover, that they have just cause of complaint at the tone of your Lordship's reply to their respectful memorial expressive of loyalty, dictated by stern necessity, and forwarded at a time of trying difficulty.

Finally, it is with the deepest regret the members of the Chamber of Commerce (who, in the memorial that has called forth your Lordship's reply, pointed out the distressed state of the colony) have to remark that they do not perceive one single expression of regret or sympathy on the part of Her Majesty's Government, nor does your Lordship once advert to those interests which have rendered this island one of the most important appendages of the British Crown. All such matter is passed over in silence, though before this reaches your Lordship, it is but too probable that the agricultural and commercial interests will be involved in total ruin.

W. RITCHIE, Chairman.

JAMES SWAN, Honorary Secretary.

Colombo, 12th December, 1848.

CEYLON.
No. 49.

(No. 227.)

No. 49.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, December 15, 1848.

(Received January 24, 1849.)

MY LORD,

It is with much regret that I find myself unable to send home the Supply Ordinance for the year 1849, before the close of the current year ; and, in requesting your Lordship's indulgence for this omission, it becomes my duty to offer such an explanation of the delay as will, I trust, satisfy your Lordship that it has been unavoidable.

* Page 233.

2. With my Despatch No. 180,* of the 11th October, I transmitted to your Lordship several interesting financial tables, showing an excess in the revenue of the island over its expenditure during the first six months of the present year of 14,594*l.*, arising entirely from the large diminution of expenditure within that period, as compared not only with the corresponding period of the preceding year but also with the estimated expenditure of the current year.

Decrease of expenditure first half of 1848, compared with first half of 1847, 21,791*l.*
Decrease in the actual compared with estimated expenditure for the same period, 20,435*l.*

3. The decrease in the amount of revenue collected during the same period amounted to 3574*l.* compared with 1847.

4. The disturbances in the interior, and the extraordinary military charges entailed upon the colony since the close of the first half of the current year, have naturally placed the Government in a less favourable financial position than must otherwise have been the case. Until the actual expenses incurred could be distinctly ascertained, and the prospects of continued tranquillity became more completely assured, it was out of my power to frame any satisfactory calculations as to our future expenditure. I was also anxious to ascertain, if possible, before finally arranging the Supply Ordinance, what further amount of reduction in our expenditure it would be practicable to effect without delay : and it was, moreover, necessary for me to ascertain the effect of the alterations in the Customs' duties, which took place from the 1st September last, particularly in the present state of trade, before I could form such an estimate of our probable receipts for the ensuing year as would be entitled to your Lordship's confidence.

5 Under these circumstances the publication of the Supply Ordinance in the Gazette was necessarily delayed ; but I am happy to inform your Lordship that it is now before the Council, and will be passed in the course of a few days.

6. Before I proceed to submit to your Lordship the rough abstract of the estimates for 1849, which are enclosed, it is satisfactory to me to be able to invite your attention to the accompanying abstracts (marked 1, 2, and 3) of the actual revenue and expenditure for the first nine months of the current year ; and in doing so, it is necessary to remind your Lordship that the third quarter of the year is, at all times, the least favourable in its financial aspect, while the last quarter is usually the most productive.

7. From Table 1, it will be apparent that the excess of expenditure over the revenue during the first nine months of the year has not been more than 9279*l.*, although, as I have before remarked, the unforeseen expenses occasioned by the insurrection have been defrayed during that period, with almost the only exception of the amount due to the Madras Government (including the hire of a steamer) on account of the extra charges incurred by sending down the detachment of the 25th Regiment to Trincomalie.

8. By Table No. 2, it will appear that, although there has been a nett decrease in the amount of revenue actually collected compared with the estimated amount, still there has been a corresponding decrease of expenditure to the same extent within about 2000*l.*, which has been distributed under many heads, but most extensively under the head of establishments.

Decrease of actual over estimated expenditure in nine months, 25,498*l.*
Ditto of expenditure for same period, 23,393*l.*

9. By Table No. 3, it will be seen that the balances in favour of Government amounted on the 30th September (after deducting the same received on loan from the Oriental Bank, viz. 17,078*l.*, up to that date) to 64,780*l.*

10. I now proceed to offer a few remarks upon the rough estimates for 1849, which I am unwilling to delay forwarding to your Lordship until the consideration of them in Council shall have been closed. And, first, with regard to the anticipated receipts, I have thought it better to estimate the whole of

them upon a very moderate scale, because it is impossible not to foresee a considerable reduction of income from some of the principal sources: among these the most important is the department of Customs; and under this head, considering the alteration of the export duties,—the prospect of a diminished import of grain and some few other articles, I have felt it my duty to strike off, as compared with the receipts of 1847, not less than 46,000*l.*, so that I have only taken an estimate for 1849 for the receipts from Customs of 100,000*l.*

11. In the same way I have taken a lower estimate for the probable receipt from stamps than circumstances will ultimately, I hope, prove to have been necessary, because I am unwilling to anticipate too large a revenue from the new scale of stamp duties during the present depressed condition of the colony.

12. Indeed, I am disposed to entertain a well-founded hope that the estimated receipts under all the different heads have been taken on so reasonable a scale, that I look with confidence to the realization of full 400,000*l.* of revenue for the year 1849.

13. On the other hand, I have felt it my duty, while seeking every practicable mode of reducing the expenditure, to include in the estimates, in the first place, all those establishments which the Government is not yet in a position very materially to modify, because, although I anticipate the best possible effects from the labours of the Committee who are now employed in reviewing the whole expenditure of the colony, still it is impossible that their recommendations can all be carried into effect without considerable delay. In my Despatch No. 221,* by this mail, I have already stated to your Lordship that I hope to be able, with the previous approbation of Her Majesty's Government, to lay before the Council, in the autumn of next year, a well-digested plan for remodelling and reducing the establishments. In the meanwhile, it is obvious that the machinery of Government must be maintained chiefly in its present form, and that its engagements must be fulfilled.

* Page 301.

14. At the same time, I feel confident that extensive reductions will be effected in the general expenditure of the colony in the course of the year, and I may here mention that, although I have taken a liberal estimate for the necessary expenditure on roads and works, I hope to be able to effect a considerable saving under that head, by the operation of the provisions of the Road Ordinance.

15. I am able to assure your Lordship, with earnestness, that I shall omit no possible opportunity of curtailing every outlay that is not, under present circumstances, absolutely indispensable for the public service.

16. It remains for me to advert to one item of expenditure to which I have the greater reluctance to allude, because it has been found absolutely impossible to include it in our present Supply Ordinance, although I shall use every effort to meet that charge as the year advances, and I shall have a better opportunity of judging of the state of our finances. I allude to the military contribution of 24,000*l.* a-year.

17. In omitting this item from our present estimates of expenditure, I beg to assure your Lordship that it is not my object to draw at once for any larger sum on account of the Queen's pay of troops than I am already authorized to draw for upon the Lords of Her Majesty's Treasury. I shall continue to advance the usual military disbursements through the general Treasury without any change, except that the 2000*l.* a-month will for the present stand as an advance to Her Majesty's Treasury. If, as the year progresses, it should be found that any extraordinary and unlooked-for diminution in our receipts should take place, or if the reductions in our expenditure which I shall do my utmost to effect should still be insufficient to balance the account and defray the "Military Contribution," I shall be compelled to throw myself upon the consideration of Her Majesty's Government for a temporary remission of this charge. To them, and to your Lordship more especially, I look with confidence for every reasonable indulgence, and for every allowance that can be made for my anxious exertions during a period of unequalled commercial depression, of political agitation, and social excitement.

I have, &c.,

(Signed) TORRINGTON.

The Right Hon. Earl Grey,
&c. &c.

CEYLON.
Encl. in No. 49.

Enclosure in No. 49.
No. 1.
ABSTRACT of the Revenue and Expenditure of the Colony of Ceylon for the first Nine Months of the Year 1848.

REVENUE.		EXPENDITURE.	
	£. s. d.		£. s. d.
Arrears of Revenue of former Years	23,923 11 11½	Fixed Salaries	£114,043 0 0
Customs	90,584 0 4½	Provisional and Temporary Salaries	17,100 0 0
Port and Harbour Dues	2,175 9 1½	Allowances	2,795 17 4½
Land Sales	4,930 8 11	Office Contingencies	3,772 14 6½
Land Revenue	36,932 15 6	Pensions and Retired Allowances	187,711 11 11
Rents, exclusive of Lands	17,190 17 10½	Revenue Services, exclusive of Establishment	27,390 15 11½
Licenses	41,151 12 11	Administration of Justice, ditto	4,598 13 10½
Stamps	20,915 11 11½	Ecclesiastical, ditto	1,429 4 7½
Taxes—Assessment	5,277 5 11	Charitable Allowances	500 0 0
Postage	6,186 13 5½	Education, exclusive of Establishment	2,312 16 1½
Fines and Forfeitures	3,329 18 5½	Hospitals, ditto	777 10 10½
Sale of Government Property, including Salt and Colonial Stores, &c.	40,116 11 6½	Police and Gaols, ditto	1,634 1 2
Ration Stoppages from H.M. Troops	9,323 2 0	Rent	3,884 10 5½
Reimbursements in aid of Expenses incurred by Government	613 10 9½	Transport	1,381 10 10½
Interest	2,202 15 10½	Conveyance of Mails, exclusive of Establishment	2,954 9 11½
Government Vessels	328 2 4½	Works and Buildings	958 15 9
Miscellaneous and Special Receipts	8,541 2 0	Roads, Streets, and Bridges	6,599 8 0
Ditto by the Agent-General in London	1,380 8 3	Miscellaneous Services	21,674 18 8
Excess of Expenditure	315,103 17 3½	Interest	5,063 19 9½
	9,279 15 4½	Colonial Commissariat	193 18 11½
		Contribution towards Military Expenditure	21,533 10 7½
		Colonial Pay and Allowances	18,000 0 0
		Government Vessel, exclusive of Establishment	25,224 9 6½
			287 4 2½
			284,106 11 5½
Total	324,383 12 8½	Advances in aid of Expenditure to be hereafter classified and brought to Account under their proper heads, viz.:—	
		For Roads, Streets, and Bridges	£13,927 5 3½
		Works and Buildings	4,698 6 4
		Colonial Commissariat	10,607 16 11
		Colonial Pay and Allowances	1,111 2 10½
		Other Services, including Establishments	9,932 9 9½
Total	324,383 12 8½	Total	40,277 1 2½
			324,383 12 8½

C. J. MACCARTHY, Auditor-General.

[illegible]

C. J. MACCARTHY, Auditor-General.

No. 3.

STATE of the Funds of the Ceylon Government on the 1st January and the 30th September, 1848.

On the 1st January, 1848.				On the 30th September, 1848.			
Balance due to the Ceylon Government :—				Balance due to the Ceylon Government :—			
Balance in the Public Cash Chests in Ceylon :—				Balance in the Public Cash Chests in Ceylon :—			
In the General Treasury				In the General Treasury			
	£.	s.	d.		£.	s.	d.
Chests of the Western Province	56,097	3	1½	Chests of the Western Province	58,911	0	8
North Western Province	3,446	11	3	North Western Province	2,731	3	0½
Southern Province	3,572	13	6½	Southern Province	3,701	6	5½
Northern Province	9,950	13	0	Northern Province	10,986	18	7½
Eastern Province	8,170	3	4	Eastern Province	8,275	11	8½
Central Province	959	7	10½	Central Province	8,279	15	0½
	7,639	13	9		10,698	18	7
	89,836	5	10½		103,584	14	0½
Balance in the hands of the Agent General in London	12,051	3	11	Balance in the hands of the Agent in London	£ 4,180	6	11
Government of Hong Kong	1,224	7	0½	Amount remitted in Sept., 1848	23,000	0	0
Colonial Agents at Bombay	903	15	8	Deduct Amount advanced by			
In all Balances due to the Ceylon Government	104,015	12	6½	Her Majesty's Government to			
Balance due by the Ceylon Government :—				30th September	8,482	10	2
To Her Majesty's Government on Account					14,517	9	10
of a Remittance received in Specie	£10,000	0	0				
Deduct Balance due to this Government				Balance due by Her Majesty's Government for advances made			
for Advances made for the Army	3,129	8	0½	for the Army Service	18,697	16	9
Service				Balance due by the Hong Kong Government	5,423	0	4½
To the Presidencies in India				In all Balance due to the Ceylon Government	1,587	15	5½
To the Colonial Agents at Calcutta and Madras					129,293	6	8
In all Balance due by the Ceylon Government				Balance due by the Ceylon Government :—			
				To the Presidencies and Agents in India	19,083	5	7½
Balance in favour of the Ceylon Government*				Mauritius Government	99	8	0
				Deposits in the Public Cash Chests	28,251	8	7
				Oriental Bank—Amount of a Loan received	17,078	12	8
				In all Balance due by the Ceylon Government	64,512	14	10½
				Balance in favour of the Ceylon Government*			
					£	64,780	11 9½

N.B.—Balance on the 1st January, 1848

Deduct Excess of Expenditure between 1st January and 30th September

Balance of Drafts and Remittances in Transit

Balance on the 30th September, 1848

* Subject to a Debt of £87,400 due on Paper Currency.

No. 4.

 ESTIMATE of the Revenue and Expenditure of the Government of Ceylon, for the Year 1849.

RECEIPTS.				DISBURSEMENTS.			
	£.	s.	d.	<i>Charges Specially Sanctioned by Her Majesty's Government.</i>	£.	s.	d.
Arrears of Revenue of Former years	25,000	0	0	Civil Establishments	60,314	0	0
Customs	100,000	0	0	Agents of Provinces	32,666	0	0
Port and Harbour Dues	4,000	0	0	Judicial Establishments	40,626	0	0
Land Sales	6,000	0	0	Ecclesiastical Establishments	9,246	0	0
Land Revenue.	45,000	0	0	Education Establishments	4,144	0	0
Rents, exclusive of Land	20,000	0	0	Medical Establishments	2,700	0	0
Licenses	72,000	0	0	Police Establishments	2,275	0	0
Stamps	36,000	0	0	Fiscals in the Provinces	6,891	0	0
Taxes	4,950	0	0	Colonial Commissary	3,311	0	0
Postage	7,000	0	0	Agent General in London	525	0	0
Fines, Forfeitures and Fees of Court	3,000	0	0	Colonial Pay and Allowances	162,698	0	0
Sale of Government Property	61,000	0	0		88,380	0	0
Ration Stoppages from Her Majesty's Troops.	13,000	0	0				
Reimbursements in aid of Expenses incurred by Government	650	0	0	Civil Pensions	25,809	0	0
Miscellaneous Receipts	5,900	0	0	State Pensions	2,950	0	0
Interest	2,800	0	0	Military Pensions	3,087	0	0
Special Receipts	400	0	0	Allowance to Colonial Secretary in lieu of Fees	300	0	0
Receipts by the Agent General in London	1,600	0	0	Visitation Allowance of the Bishop	500	0	0
				Fixed Allowance in aid of the Incidental expenses of certain Churches	260	0	0
				Allowance of the Civil Engineer for keep of Horses	100	0	0
				Allowances of Kandyan Chiefs	984	0	0
				Allowances of Fisher Headmen	515	0	0
				Half difference of Salary of a Civil Servant	2,659	0	0
				Payments to Mail Coaches for conveying the Public Mails	50	0	0
				Interest on Dutch Credit Brieven	689	0	0
					312	0	0
				Charges to be voted by the Legislative Council			
					35,536	0	0
				Deduct probable Savings on the above Disbursements			
					236,614	0	0
					179,890	0	0
					416,504	0	0
					10,000	0	0
				Surplus Revenue			
					406,504	0	0
					1,796	0	0
Total.	£	408,300	0	Total			
					£	408,300	0

Note.—The Item of £24,000 "Contribution towards Military Expenditure" has been omitted in this Statement.

EXTRACT of a DESPATCH from the Right Hon. Viscount TORRINGTON to Earl GREY, dated Queen's House, Colombo, December 15, 1848.

(Confidential.)

"It is with great regret that I feel it my duty to apprise your Lordship, without loss of time, that rumours have for some days past been brought to me of the apprehension of a renewal of disturbances, if not of actual insurrection, in the neighbourhood of Kandy.

"2. It is a striking circumstance that on the present occasion no cause whatever appears to be assigned for the apprehension, or rather no grounds of a political nature for the outbreak, if it should be renewed. As far as my information extends, not a word is said about taxes, no complaint is made of oppression, but the peasantry appear to have been seized with a sudden dread of the approach of an enemy. In some parts of the country they have been urged to conceal their property; in other parts they are said to be arming themselves, and manufacturing coarse gunpowder, and what is very remarkable, so great has been the demand for *salt* (which is said generally to be the precursor of an outbreak), that the price of it has already risen to nearly treble its ordinary rate in the Kandian market.

"3. Although the rumours are all very vague and undefined, they are very widely spread, and I am informed that on several of the coffee estates notices have been posted up warning the Malabar coolies that if they do not leave their masters they will be killed. But it is a striking fact, that with all the means which the Government is supposed to have at its command, and in spite of the long residence of the Government Agent in the province, and his perfect acquaintance with the language and the habits of the Kandians, no trustworthy information can be obtained, and the Government is entirely at a loss to find on whom among the native chiefs or headmen it can rely.

"4. I cannot avoid surmising that some deep-rooted plan of agitation is on foot. Certain it is that some of those who have taken a leading part in the late outbreak have lately visited the districts which were previously disturbed, but it is remarkable that the only ground for this new excitement, which has got abroad among the Kandians, is a rumour that the French are about to land at Trincomalee, and that they will advance upon Kandy. A story of this kind preceded the outbreak of July last, but was not at that time so definite or so widely spread as at present. It is now said to have been brought over from the coast of India by some Mohamedans who came to Trincomalee, and are stated to have travelled up through the Bintenne country towards Kandy.

"5. It is also curious that one of the latest reports brought confidentially by yesterday's mail, states that the people in the neighbourhood of Matelle are expecting the Veddahs, or the wild men of the Veddah and Bintenne country to advance and fight on the side of the insurgents. Accounts of the unsettled state of people's minds have been brought from Kornegalle, Matelle, and Upper Doombera. The Assistant Agent at Matelle, Mr. H. Templer, assured me yesterday that he had little doubt that another attack was being planned on Matelle, and various accounts seem to give strength to the rumour that an outbreak of some kind or other was to take place within the next few days, but where the storm was to burst, or to what points it was to extend, appears not to be known.

"6. Every rumour is of so vague a nature, and the information obtained both by the civil and the military so uncertain, that I abstain from forwarding to your Lordship the various documents which have reached me. All, however, agree that something is going to happen, or has at least been planned. An *ola* was found in the Court-house at Kandy a few days ago, which, although full of erroneous statements, is evidently intended to create alarm. It speaks of another pretended king who is to come from Kattregam.

"7. My own impression is, that no disturbance will really take place. I am disposed to attribute the excitement to the vague alarms created in the minds of the people by agitators on the spot, rather than to any real sense of grievances to complain of.

"8. As the brother of the pretended king is still in the troublesome district

of Upper Doombera, surrounded by a few followers, I have directed the proclamation offering a reward for his apprehension to be issued afresh.

"9. A reinforcement to the troops at Matelle has already been sent there by Lieut.-Colonel Drought, consisting both of Europeans and Malays; and by way of precaution, a detachment of one company of the 37th regiment, of 100 strong, will march from this place for Kandy to-morrow morning. At the same time, 100 men of the pioneer corps, armed, are to be placed under the orders of Colonel Drought, and he has been authorized to distribute arms and ammunition among some of the most trustworthy coffee planters, who have been advised and encouraged to concert measures for the protection of their estates, and by no means to leave them unless compelled to do so by overpowering numbers.

"10. In conclusion, my Lord, I am fully alive to the importance of neglecting no precaution, however little reliance I may be disposed to place upon the rumours which are abroad. It is very satisfactory to find that all the civil and military authorities are zealous in the discharge of their duties at this crisis, and I can so entirely rely upon the loyalty of the mass of the respectable inhabitants, that I have little expectation of any real outbreak, and can have no doubt of its immediate suppression, if it occurs."

P.S. 6 P.M.—Intelligence has this moment been received by express from Kandy that all is quiet, that the excitement of the natives appears to be wearing off, and that no disturbances need for the present, at all events, be apprehended. I have accordingly given directions that a proclamation be immediately issued, calculated to quiet the fears of the people, and to assure them that there is no cause whatever for alarm. At the same time, it will warn them against being led away by the bad advice of evil-disposed persons. It is not thought expedient to counter-order the march of the detachment from hence to-morrow morning, for it will be a good opportunity to convince the people how rapidly assistance could be obtained if required.

I trust to-morrow's account will be equally satisfactory.

T.

Enclosure in No. 50.

Encl. in No. 50.

IN the name of Her Majesty VICTORIA, of the United Kingdom of Great Britain and Ireland, Queen Defender of the Faith.

PROCLAMATION

By his Excellency the Right Honourable Viscount Torrington, Knight Grand Cross of the Order of Ernestine of Saxony, Governor and Commander-in-Chief in and over the British settlements and territories in the island of Ceylon, with the dependencies thereof.

(Signed) TORRINGTON.

WHEREAS it has been represented to us that designing and mischievous men have been lately spreading reports to the effect that a renewal was apprehended of disturbances in the Kandyan country, and that armed assemblies had been seen at different places: And whereas such reports were intended to facilitate plunder by spreading confusion, and timid people have been alarmed by them. Now we desire it to be known, that we have caused strict inquiries to be made by the officers of our Government into these matters, and as to the truth of these rumours, and that up to this date we have received the most satisfactory reports in reply as to the perfect tranquillity of all parts of the Kandyan provinces.

We therefore take this opportunity to allay the alarms of all peaceful and well-disposed persons, and to assure them of protection and security, the most effectual precautions being always at hand for the preservation of the public peace and for the prompt suppression of any attempts to disturb it.

Given at Colombo this Fifteenth day of December, One thousand Eight hundred and Forty-eight.

By His Excellency's Command,

(Signed) J. EMERSON TENNENT, Colonial Secretary.

CEYLON.

No. 51.

(No. 228.)

No. 51.

COPY of a DESPATCH from the Right Hon. Viscount TORRINGTON to
Earl GREY.

Queen's House, Colombo, December 18, 1848.

(Received February 1, 1849.)

MY LORD,

SINCE the departure of the mail of the 15th instant, I have received further information from Kandy which tends to confirm me in the conclusion at which I stated to your Lordship in my confidential Despatch I had arrived, that there would be no renewal of the disturbances in that part of the country, although I deemed it necessary to omit no precaution which might have the effect of calming the fears of the inhabitants. I hasten to forward, by way of Bombay, the enclosed copy of a letter which has been received from the superintendent of police at Kandy, who is himself by birth a Kandian. It is curious, as tending to confirm the statements previously made to me, that the minds of the natives have been much disturbed, not by any real grounds for alarm, but by mere reports of the most vague and undefined description, that the French had landed in the island, and that war between them and the English was about to take place.

I have no apprehension of any real outbreak, and indeed it is evident that the momentary excitement is rapidly passing away. I have just received a private letter from a gentleman whose property lies in the neighbourhood of Matelle. He says, "I went through what is said to be the most excited part of the district yesterday, and I cannot believe that there is anything wrong there. My estate is the first through which any party must pass in going from Asgeria to Matelle, and if any riotous proceedings take place, they will be firmly met. I pay my coolies on both my estates two days hence, and I have no fear of their leaving me, or becoming in any degree alarmed at the reports which are flying about."

I have felt it my duty to communicate to your Lordship the latest intelligence I have received, which, as it entirely corroborates the statement which I forwarded three days ago, will, I trust, suffice to assure your Lordship that there is no real cause for alarm.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) TORRINGTON.

Encl. in No. 51.

Enclosure in No. 51.

SIR,

Police-office, Kandy, December 15, 1848.

I BEG to bring to your notice that there is a false report spread all over the country that several thousand French troops have arrived on the island with ammunition, fire-arms, and artillery, secured in boxes, and are waiting in Trincomalie and Hambantotte for more force, on whose arrival they will join the prince, who is now on the island, and make war with the English and take Ceylon. The country people believe this story so much, that they sell their goods cheap, and buy salt to keep for their use during the war. I am at a loss how this rumour has been spread throughout the country, but it is in the mouth of every one, although I do not at all believe anything of the kind. I would suggest, in order to prevent the poor innocent Kandyans from ruin, that a notice or printed explanation should be published throughout the province.

I understand that superintendents of the coffee estates, also, hearing this, are going to leave their estates. If they do so, the loose-charactered low countrymen, together with some Kandyans similar to them, will plunder the estates.

I have, &c.,

(Signed) D. L. BANDA, Acting Superintendent.

The Hon. the Colonial Secretary,
Colombo.

Despatches from the Right Hon. Earl Grey.

CEYLON.

No. 1.

(No. 42.)

No. 1.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, June 28, 1847.

I HAVE received and laid before the Queen the late Sir Colin Campbell's Despatches, No. 2, of the 2nd of January, and No. 3, of the 4th of January last; the former transmitting an Ordinance, No. 9, of 1846, passed by himself, with the advice and consent of the Legislative Council of Ceylon, intituled an Ordinance "To apply a sum not exceeding 57,936*l.*, to defray the Supplementary "Contingent Charges of the year 1846;" and the latter forwarding an Ordinance, No. 13, of 1846, intituled an Ordinance "To apply a sum not exceeding "168,756*l.*, to the Contingent Service of the year 1847."

I have received the Queen's commands to acquaint your Lordship, that Her Majesty has been pleased to confirm and allow these Ordinances. You will communicate Her Majesty's decision to the inhabitants of the colony by a proclamation to be published in the usual and most authentic manner.

As the contemplated revision of the system of taxation at Ceylon may occasion a temporary diminution of revenue, I must caution your Lordship not to undertake any of the public works, for which provision is made in the Ordinances, except those which may be absolutely necessary, and selecting, first, such only as you may consider to be most urgent.

Adverting to the representations in the Report of the Sub-Committee of the Legislative Council, as to the inconclusive nature of the information which had been submitted to them in support of the appropriation comprised in the Ordinance No. 9, I have to observe, that the Ordinance should have been accompanied by a statement, showing the amount of all outstanding charges for which the balances in the public chests were liable at the time the supplementary appropriations were proposed, and the real amount of surplus revenue that would be applicable to meet these appropriations; but I trust that the instructions relating to the accounts of the colony, with which the Ceylon Government has recently been furnished, will be found to provide for such uniformity of arrangement and immediate identification of all expenditure with the authorized estimates, as will prevent the recurrence of complaints of deficient information in those respects.

I have, &c.

The Right Hon. Viscount Torrington,
&c. &c. &c.

(Signed) GREY.

No. 2.

(No. 66.)

No. 2.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, August 6, 1847.

I HAVE received your Despatch, No. 20,* of the 8th of June, reporting upon the financial condition of the colony under your government.

I shall hereafter have occasion to enter fully into this important subject; but there is one portion of your Despatch with respect to which I must lose no time in stating to you my views. I refer to the question of withdrawing the Government paper currency from circulation.

You suggest, that as soon as the state of the finances will permit, and the amount of coin accumulated in the public treasury will warrant the measure, the Government paper money of Ceylon should be redeemed.

Now, I am far from thinking that such a currency is necessarily objectionable; on the contrary, if issued under proper regulations to guard against excess, I consider that it may form a medium of exchange not less safe than a

* Page 5.

Answered by
Governor, 11 Nov.,
1847, No. 153,
page 17.

metallic currency, and at the same time much cheaper and more convenient ; therefore effecting an important saving of the capital of the community.

I have lately had occasion to address the Governor of New Zealand on this subject, and I enclose for your information a copy of my Despatch to that officer, in which my views are fully explained.

For the present I have only to instruct your Lordship to take no steps, without further orders, for withdrawing the Government paper currency, but to allow it to circulate as usual ; and I must enjoin your Lordship to be particularly careful in conducting the inquiries which you propose to institute on the subject ; to use the utmost caution to prevent any discredit being thrown on the paper currency, or any doubt created as to its being continued in use.

The only caution I have to prescribe in continuing to use these notes, as has heretofore been the practice, until some permanent system can be established, is, not to increase the issues by paying any demands upon the Government by means of paper created for that purpose ; but Government notes in the treasury which have been received in payment of taxes, or of other debts due to the Government, may be used without scruple in discharge of the ordinary demands of the public expenditure.

I have to desire that, in reporting to me farther on this subject, your Lordship will furnish me with the most complete account in your power of the origin of this paper money, showing at what date it was first issued, to what extent and under what rules it has been circulated, and also the amount of it as compared with the estimated amount of the metallic currency circulating in the island, and with the amount of paper issued by the banks.

Your Lordship will further report to me, whether the Government paper money is readily received in payment by the natives, as well as by the European community ; and what is the highest and lowest denomination of the notes in circulation.

I return herewith the note which you sent for my inspection.

If your Lordship, after consulting with the Executive Council of your Government, should be still of opinion that the present form of note is not difficult of forgery, immediate measures should be taken for substituting a new and better form.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.
(Signed) GREY.

Enclosure in No. 2.

Encl. in No. 2.

SIR,

Downing-street, February 2, 1847.

I HAVE already, in my Despatch of December 23, No. 23, remarked, that for some time to come the occasions which will arise for calling together the General Legislature of New Zealand will probably be exceedingly rare, and as I conceive that to be compelled to summon that body at an early period after the intended change in the form of government shall have been brought into operation might prove highly inconvenient, I consider it to be desirable, that before that change takes place, you should endeavour to avail yourself of the authority of the existing legislature, in order to pass all such laws as seem to be immediately required upon subjects on which the Act of Parliament will, under the new charter, confine to the General Assembly the power of legislating for both the provinces into which the colony is to be divided.

Amongst these subjects there is one which seems to me to require very early attention ; I allude to that of the regulation of the currency of the colony. Since the recall of the debentures which were issued by Captain Fitzroy, I am not aware that any description of paper money has been in circulation in the colony ; but judging from what has taken place in other British colonies, I can entertain no doubt, that with the increase of trade, a demand for such a cheap and convenient medium of exchange will speedily arise. Nor do I see any objection to the creation of a paper currency ; on the contrary, provided it is properly regulated, I am of opinion that such a mode of economy of capital, where capital is so greatly wanted, must be exceedingly advantageous.

The discussions which have taken place of late years, and more especially the proceedings in Parliament, upon the occasion of the last renewal of the Bank Charter, have, I apprehend, in the judgment of those whose authority is of most weight on this subject, finally settled the principles upon which a paper currency ought to be regulated. Although a regard for existing interests has prevented these principles from being acted upon in this country to their full extent, there is no longer much difference of opinion as to the general nature of the system which an adherence to them would prescribe. In New Zealand I believe that no such interests

CEYLON.

have yet grown up, though they would not fail speedily to do so. It is, therefore, I trust, still possible in that colony to secure the great advantages which could not fail to result from the establishment of a paper currency regulated upon the most correct principles. The view which I take of these principles is as follows:—The business of banking, or of dealing in money, and that of issuing paper money, I consider to have not merely no necessary, but no proper, connection with each other. The former is a branch of commercial business, which should be left, like every other, to private enterprise. But to issue money, that is, to furnish the authorized medium of exchange, is one of the peculiar, and not the least important, functions of the Government. With respect to the coinage, this principle has always been recognized; nor is there any attribute of sovereignty which has been more strongly insisted upon and more rigidly guarded from invasion by the supreme authority of almost every State, whether of ancient or modern times, than the exclusive right of coining money for the use of its own subjects. As to the issue of paper money, a different rule has generally been followed, but, as experience has proved, with the very worst results. By allowing the issue of paper money to become a commercial speculation, the amount issued from time to time has been made to vary, not according to the real wants of the community, but according to the interest of the issuers. Thus the value of this description of currency has been rendered uncertain, and all the evils have been entailed upon the community which result from the want of uniformity in the measure of value and general medium of exchange. The value of a metallic currency is not liable to injurious fluctuations, simply because the amount in circulation cannot be arbitrarily varied, but is self-regulated by the exchanges of which the operation is too powerful to be controlled by law. In order, therefore, to unite the advantages of cheapness and convenience which belong to a paper currency with those of steadiness and uniformity of value which belong to a metallic currency, one of the former description ought to be so regulated that the amount in circulation should vary according to the same laws which govern the latter. This is to be accomplished by providing that paper money, beyond some fixed amount clearly within the wants of the country in which it circulates, shall only be issued in exchange for the precious metals, and that it shall always be payable in the same. Under this system the circulation can only be increased when it is the interest of private individuals to import bullion, which they may exchange for paper, and can only be contracted in like manner when it is their interest to demand bullion in exchange for paper. The system now established in this country by the authority of Parliament is founded upon this principle, to which it conforms as nearly as the necessity of showing regard to vested interests would permit at the time that the arrangement was made. In New Zealand a simple and more perfect system may, I hope, be adopted. I would suggest that a law should be passed authorizing the issue of a colonial paper currency which should be a legal tender in payment of all sums exceeding 40s.; for sums under 40s. British silver coin should be received, as in this country. This colonial paper should be made payable either in gold at the English Mint price, or in silver, receiving the coins of different nations (except British silver) at the rated values assigned to them in the proclamations from time to time issued under the authority of the Lords Commissioners of the Treasury. All persons should also have the right, on tendering gold and silver at the same rates, to receive colonial paper in exchange. You are aware that in this country gold is the standard of value, and that the silver coins merely circulate as tokens at a nominal value, which is considerably higher than their real worth. By the regulation I have suggested, gold would also be the standard of value in New Zealand; but considering how largely silver, and especially silver dollars, circulate in the countries nearest to New Zealand, and with which it would be likely to have the most frequent commercial intercourse, it would, I think, be convenient that such silver coins should be used in common with gold for the payment of the colonial paper money at the values assigned to them by proclamation with reference to the pound sterling. Notes for 1*l.*, but not for any lower amount, should, I think, be issued.

Should you find it practicable to establish such a paper currency, the mode of bringing it into circulation would be a very simple one. An office for the exchange of paper, for gold or silver, should be established at Wellington, and another at Auckland. To these offices all money of the description now in circulation received by the government (except small silver reserved for minor payments), should be sent to be exchanged for colonial paper money, and private individuals should be invited, but not required to do the same. The colonial government by not re-issuing specie which came into its hands would have no difficulty in speedily substituting the new paper money for the coin now in circulation. The issue of the new paper currency being complete, it would be advisable that one-fourth of the specie received in exchange for it should be retained to meet any demands for payment which might be made, and that the remainder should be invested so as to produce some return to the colony. With this view the best arrangement would probably be, that it should be transmitted to Sydney and deposited (on sufficient security) with one of the principal banking establishments in that town; the interest which it would produce should go in the first place towards paying the expenses of managing the paper currency, and the surplus, if any, towards the general expenses of the colony. The same law which established this currency should also strictly prohibit the issue of any other description of paper payable on demand in New Zealand.

In suggesting to you the creating of a paper currency thus regulated, I am far from meaning to prescribe to you that such a measure should be adopted; if there should exist reasons with which I am unacquainted which would render it unsafe; for instance, if there should be ground for apprehending that it would give rise to difficulties with the natives, who might not improbably be unwilling to give up the use of the kind of money to which they are accustomed for one which it might not be very easy for them to understand. Any such difficulty as this might

probably be obviated by making the substitution of the colonial paper money for specie more gradual than I have in the preceding part of this despatch recommended. It would of course be easy to make the process of change from one system to the other as gradual as might be desired, by allowing a given proportion of the specie which might be received by the government to be for a time reissued, so that it might not entirely be withdrawn from circulation until the use of the substitute provided for it came to be understood. These are, however, points which I may with the utmost confidence leave to your own judgment. All I wish earnestly to press upon your attention is, the importance of occupying, if possible, the ground by some government paper before private banking companies shall have taken possession of it. If this is neglected, I am persuaded that it will practically be impossible to prevent such companies from being formed, and from issuing notes for circulation; it will be equally impossible to confine the privilege to any single private company: such a monopoly would be sure to create too much dissatisfaction amongst all excluded from sharing in its profits to be long maintained; the consequence would be that rival banks of issue would be established, and that in seasons of commercial prosperity the competition of these banks would unduly extend the amount of paper in circulation; thus raising prices, and stimulating, precisely when it ought to be moderated, the spirit of speculation, thereby ensuring, whenever the reaction came, as come it must, a more than corresponding depression, and wide-spreading ruin and distress. This is the course of events which has been witnessed in the last few years in Australia, in the United States, and (though with less severity) in this country; like causes would infallibly produce like results in New Zealand, and those causes therefore while there is yet time I wish you to remove.

I have, &c.,
(Signed) GREY.

(No. 90.)

No. 3.

No. 3.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, September 21, 1847.

I HAVE received your Lordship's Despatch of the 8th of July last, No. 47,* * Page 1 enclosing certain Returns connected with the currency of Ceylon, in reference to your despatch of the 8th of June last, No. 20,† on the financial condition of † Page . the island.

I have so fully stated in my recent Despatch of the 6th ult., No. 66, my views on the paper currency of Ceylon, that the perusal of your present Despatch has not suggested to me the necessity of making any further observations on the subject at present. I must await the arrival of the Report which I have called for in that despatch. I, however, avail myself of the present opportunity for stating that I do not perceive any objection to the issue, under proper regulations, of the 10s. notes, to which you have now called my attention. Upon this, however, as indeed upon the whole question, I must, for the reason above mentioned, postpone addressing to you any further instructions.

In the meantime, with a view to assist in the preparation of the required Report, I transmit for your guidance the accompanying copy of a letter, addressed to this Office by desire of the Lords Commissioners of the Treasury, from which your Lordship will perceive the necessity of special reference being made to the previous communications addressed to your predecessors by Her Majesty's Government on this important subject.

31 August.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

Enclosure in No. 3.

Encl. in No. 3.

SIR,

Treasury Chambers, August 31, 1847.

WITH reference to your letter dated the 13th instant, enclosing Despatches from and to the Governor of Ceylon, I am commanded by the Lords Commissioners of Her Majesty's Treasury to request that you will observe to Earl Grey that had Viscount Torrington referred to the frequent communications made to his predecessors on the subject of the paper currency, and to the particular instructions they had received from the Home Government, more especially to those given in pursuance of recommendations contained in the communications from this Board to the Secretary of State, of the 22nd June, 1833, 28th January, 1839, 4th March, 1840, and 3rd March, 1842; and likewise to the Reports from those predecessors of the 11th

2 U 2

CEYLON.

September, 1834, and 1st October, 1841, his Lordship would have been made aware that Her Majesty's Government was fully informed of all particulars relating to the paper debt of the colony, and of the embarrassment to which the circulation of promissory notes issued by the Government might be likely to give rise if extended beyond such amount as the balances ordinarily in the public chests would furnish the means of liquidating.

I am further to request that you will state to Earl Grey that as it would appear that the Instructions above adverted to had not been brought to Lord Torrington's notice, my Lords deem it necessary to suggest, that in addition to the communication already made to him by Lord Grey on the 6th instant, his Lordship's attention should be called without delay to the repeated injunctions that have been given against any increase of such description of Government promissory notes as are now in circulation, which he has correctly viewed as constituting a debt of which payment may at any moment, however inconvenient, be called for; and to the directions acknowledged by Sir C. Campbell's Despatch of the 1st October, 1841, respecting periodical returns relating to those notes, but which the Ceylon Government would appear to have omitted to furnish since the year 1844.

I have, &c.,

J. Stephen, Esq.,
&c. &c.

(Signed) C. E. TREVELYAN.

No. 4.

(Confidential.)

No. 4.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, November 8, 1847.

* Page 14.

I HAVE received your Lordship's confidential Despatch of the 13th September,* respecting the "Civil Service" of Ceylon, as it is at present constituted.

The questions discussed by your Lordship are of the highest importance to the well-being of the colony, and I concur generally in the views which you entertain on the subject. I should wish you, therefore, not to lose sight of it, but to suggest from time to time such measures as you may think desirable, and they shall receive my best attention.

I abstain, for the present, from prescribing any further change than that which you have recommended, viz., confining the appointments to writerships to two; and as I have signified to you my approval of the two gentlemen residing in Ceylon whom you have selected for those appointments, I shall not send any one from this country for the purpose on the present occasion.

I have, &c.,

The Right Hon. Viscount Torrington,
&c. &c. &c.

(Signed) GREY.

No. 5.

(No. 170.)

No. 5.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, February 5, 1848.

I HAVE to acquaint your Lordship that the Colonial Agent General has represented to me that the remittances made to him by the Government of Ceylon for some considerable time past have by no means been equal to the expenditure for which he has been required to provide. He states that, as far as he can form an opinion, the sum of 30,000*l.* is required to enable him to carry on the public service of Ceylon, up to the 30th of June next, viz. :—

	£.	s.	d.
Debt due to the Treasury	10,000	0	0
Stores sent out by the Ordnance	11,407	14	1
Half salaries, pensions due 31st March, and various miscellaneous payments, about	10,000	0	0
	£ 31,407	14	1

The Colonial Agent-General further adds that the estimates transmitted by him to Ceylon, for the last year, amounted to 50,000*l.*, and the actual expenditure to 50,800*l.*; but that the remittances have fallen very short of the expenditure.

In calling your attention to this deficiency of remittances from Ceylon, I must impress upon your Lordship the necessity of causing them to be made more punctually in future.

I have, &c.

The Right Hon. Viscount Torrington,
&c. &c. &c.

(Signed) GREY.

(No. 191.)

No. 6.

No. 6.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, March 24, 1848.

I HAVE received and laid before the Queen, your Lordship's Despatch of the 10th of January last, No. 8, enclosing an Ordinance, No. 13, of 1847, passed by your Lordship, with the advice and consent of the Legislative Council of Ceylon entitled "An Ordinance to regulate the possession of fire-arms."

I have received the Queen's commands to acquaint you that Her Majesty has been pleased to allow and confirm this Ordinance.

You will communicate Her Majesty's decision to the inhabitants of the island of Ceylon, by a proclamation to be published in the usual and most authentic manner.

I have, &c.

The Right Hon. Viscount Torrington,
&c. &c. &c.

(Signed) GREY.

(No. 192.)

No. 7.

No. 7.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, March 25, 1848.

I HAVE received and laid before the Queen your Lordship's Despatch of the 13th of December last, No. 175,* enclosing an Ordinance, No. 9, of 1847, passed by your Lordship with the advice and consent of the Legislative Council of Ceylon, entitled, "An Ordinance for regulating the Duties of Customs payable on Goods imported into and exported from this Island."

* Page 33.

I have received the Queen's command to acquaint you that Her Majesty has been pleased to confirm and allow this Ordinance.

You will communicate Her Majesty's decision to the inhabitants of the Island of Ceylon by a proclamation to be published in the usual and most authentic manner.

I transmit for your information and guidance the enclosed copy of a letter addressed to this office by desire of the Lords Commissioners of the Treasury, to whom the Ordinance was referred previously to its being submitted to Her Majesty.

16th March.

I have, &c.,

The Right Hon. Viscount Torrington,
&c. &c. &c.

(Signed) GREY.

CEYLON.

Enclosure in No. 7.

Encl. in No. 7. Sir,

Treasury Chambers, March 16, 1848.

In reply to your letter of 29th ultimo, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of Earl Grey, that my Lords concur in the opinion signified by his Lordship, that the Ordinance submitted in the Despatch from the Governor of Ceylon of 13th December last, "for further regulating the Duties of Customs" in that island should be confirmed, although, on advertg to the amount of revenue that may be compromised by the enactment of this Ordinance, my Lords cannot but express their regret that the Governor should not have been prepared to bring under the consideration of the Council, simultaneously with it, some of the further fiscal arrangements to which he refers in his Despatch, more especially as it does not appear to be likely that any avenue can at present be derived from the Pearl Banks.

I am also to request you will observe to Lord Grey that the course of proceeding thus adopted by the Ceylon Government renders it the more imperatively necessary that the caution, suggested in the communication from this department of 15th May last, in regard to not undertaking new works, or incurring other extra expenditure until the means of defraying it shall have been realized, should be attended to.

H. Merivale, Esq.,
&c. &c.

I have, &c.,
(Signed) C. E. TREVELYAN.

No. 8.

(No. 214.)

No. 8.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, May 13, 1848.

* Page 43.

I HAVE received and laid before the Queen your Lordship's Despatch of the 15th * of January last, No. 18, enclosing an Ordinance, No. 14, of 1847, passed by your Lordship with the advice and consent of the Legislative Council of Ceylon, entitled "An Ordinance to apply a sum, not exceeding 59,116/., "to defray the supplementary contingent charges of the year 1847."

I have received the Queen's command to acquaint your Lordship that Her Majesty has been pleased to allow and confirm this Ordinance.

You will communicate the decision of Her Majesty to the inhabitants of Ceylon, by a proclamation to be published in the usual and most authentic manner.

I have also to acquaint your Lordship that Her Majesty's Government have approved of the several detailed estimates for works comprized in the appropriation made by this Ordinance.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

No. 9.

(No. 220.)

No. 9.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, May 31, 1848.

No. 3 of 1848.

* Page 94.

I HAVE received your Lordship's Despatch of 7th * March last, No. 52, transmitting an Ordinance, passed by the Legislature of Ceylon, entitled, "An Ordinance for the registration of carriages and boats used for the conveyance of goods and passengers for hire, and for declaring the rights and liabilities of the owners thereof."

I have to acquaint your Lordship that Her Majesty has been pleased to allow and confirm this Ordinance.

You will communicate Her Majesty's decision to the inhabitants of Ceylon, by a proclamation to be published in the usual and most authentic manner.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

(No. 234.)

No. 10.

CEYLON.

No. 10.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, June 15, 1848.

I HAVE received and laid before the Queen your Lordship's Despatch of the 9th of February last, No. 36,* enclosing an Ordinance, No. 2, of 1848, passed by your Lordship with the consent and advice of the Legislative Council of Ceylon, entitled, "An Ordinance to repeal the existing stamp duties, and to impose certain other duties in lieu thereof."

* Page 69.

I have received the Queen's commands to acquaint you that Her Majesty has been pleased to allow and confirm this Ordinance.

Your Lordship will communicate Her Majesty's decision to the inhabitants of Ceylon, by a proclamation to be published in the usual and most authentic manner.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

(No. 249.)

No. 11.

No. 11.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, July 13, 1848.

I HAVE to acknowledge the receipt of your Lordship's memoranda* relative to the upset price of lands in Ceylon, and the appropriation of the land revenues of the island. * Page 135.

I entirely concur in your Lordship's views as to the propriety of keeping the proceeds of land sales distinct from the ordinary revenues of the colony, and I consider that it should be laid down as a general rule, that all monies accruing from land sales should be expended, not as ordinary revenue, but in the construction of roads or other public works calculated to enhance the value of the lands sold, and you will accordingly submit this measure for the consideration of your Council.

But, at the same time, I am not prepared to sanction the changes which you propose, as regards the sale of certain kinds of land at a less rate than that at present established, and with a view clearly to define the principles on which Her Majesty's Government have fixed a rate of 20s. per acre as the minimum price at which lands may be sold in Ceylon, I transmit, for the information and guidance of your Lordship, a copy of a Despatch which I addressed to Sir H. Pottinger on the 30th of July, 1847, stating my views on this subject, as well as on that of the appropriation of revenues accruing from land sales in Natal.

I have, &c.,
The Right Hon. Viscount Torrington, (Signed) GREY.
&c. &c. &c.

Enclosure in No. 11.

Encl. in No. 11.

COPY of a DESPATCH from Earl GREY to Governor the Right Hon. Sir H. POTTINGER,
Bart., G.C.B.

SIR,

Downing-street, July 30, 1847.

I HAVE received your Despatch, No. 26, of the 24th March, forwarding the copy of a despatch from the Lieut.-Governor of Natal, reporting the progress that had been made up to the close of the year 1846, in carrying into effect the instructions of Her Majesty's Government as to the disposal of land in that district.

You state that the enclosures in that Despatch being merely lists of purchaser's names and tabular details, you had not thought it necessary to forward them. You were right in withholding these lists, but reference is also made in the Lieut.-Governor's Despatch to certain notices issued by him relative to titles to land. In order that I may be fully cognizant of all that has been done upon this subject, it is necessary that I should be in possession of these notices, and I have now to request that you will furnish me with copies of them.

The Lieut.-Governor states that it is his intention, in any future sales of land, to issue title-deeds only to persons actually resident in the district. I entirely approve of this step so far as

CEYLON.

regards the lands distributed to the original settlers in the district, but the precaution seems to me to be an unnecessary, and probably an inconvenient, one, with respect to lands sold at a sufficient price. A public announcement of the course intended to be pursued in this matter has, I am aware, been already made; but I am of opinion that the Lieut.-Governor should be instructed to issue a further notice, stating that any land for which titles have been prepared, but not issued, in favour of parties who have abandoned the district, will after a certain day (to be named by him), revert to the Crown, and be open for sale like other public lands of a similar description.

The Lieut.-Governor recommends that the upset price of all town allotments in the district should be reduced to 25*l.* an acre, and that, to prevent undue speculation, the quantity of land brought forward for sale should be limited to the actual wants of the colonists.

I do not think that either of these measures would be advisable, and I am led to this conclusion from a knowledge of the bad effects which have followed the adoption of similar measures in some of the Australian colonies.

The first and most important object to be attained in the disposal of land in a new settlement is to ensure its coming into the hands of those and of those only who really mean to occupy it, and experience justifies the conclusion that this cannot so effectually be accomplished by any other means as by allowing land to be only acquired by purchase at such a price as will hold out no inducement to buyers unless a *bonâ fide* occupation is intended. If this plan is followed there will be no danger of any inconvenience arising from putting up more land for sale than may be wanted at the time, whether they be town or country lots; on the contrary, I am decidedly of opinion that it would be of great advantage to the public, as tending to discourage land jobbing, and also to afford increased facilities to settlers, that more land should from time to time be put up to auction than is likely immediately to be bought at the price put upon it, and that such lands as shall have been once so offered for sale, but not purchased, should be open at any time for purchase, without waiting for another auction, to the first applicant at the upset price.

The tendency of the system of limiting the extent of land offered for sale, and at the same time naming a low upset price, is to create a great uncertainty as to the value of land, and to subject individuals to unnecessary losses, particularly in the case of town lots.

Supposing, for instance, the number of such lots put up for sale to be far below the demand, the effect would be to cause such a competition as would raise the price of the land above its real value, and to compel those who may wish to buy to give far more than the upset price.

At a succeeding sale a greater quantity of land might be brought into the market, or it might occur so soon after the former sale that few bidders would be found—the land would then probably sell for little more than the upset price, and the former purchasers would have sustained a loss of capital from which they might have been saved if a sufficient quantity of land had been previously offered for sale. Hence I regard it as being the best and fairest mode of proceeding to endeavour to adjust the quantity of land sold in town lots to the real wants of the community, not by restricting the number of such lots according to the judgment formed as to these wants by the colonial authorities, but rather by naming such an upset price as will effectually discourage purchasers to an unnecessary and inconvenient extent. But although, for the reasons which I have now stated, the upset price of town lots should be somewhat high, great care must be taken not to make it excessive, for, should the price be unduly enhanced, the purchasers might be induced to crowd the buildings so as injuriously to affect the health and comfort of the inhabitants of the town. The object of selling land, and especially town lots, at rather a high price, being that which I have just described, it is desirable at the same time to adopt regulations calculated to prevent the payment of such a price being felt as a serious burthen by the settlers. This I conceive may be effected by so expending the money received from the sale of land as to add to its value to purchasers for the purpose of occupation. With this view the funds thus realized should be expended in the construction of roads and bridges, rendering the lands that have been sold more easily accessible, and in the introduction of emigrants, by whose labour they may be improved and cultivated; and with regard to town lots, the difference between the upset price put upon them and that of country lots should be spent in providing for the drainage, and for the public works and buildings required to render the town an eligible residence, including the improvement of spaces of ground set apart for recreation, which I regard as an object of the highest importance.

The general effect of the system which I have now endeavoured to describe, is to render land costly to those who do not intend to make use of it, but to render it in reality as cheap to *bonâ fide* settlers, as that which under other systems has been given gratuitously; since in return for the price paid for the land they obtain not only the land itself, but also the means of occupying it with advantage as a civilized society, which must otherwise either be dispensed with or be provided for by taxes, which in the early stages of colonization are both burthen-some and difficult to collect.

In conclusion, I have only to add, that having thus explained to you the principles and the objects of the policy which I have to prescribe to you, I leave it to your judgment and that of the Lieut.-Governor of Natal to determine in what manner that policy is to be acted upon, and to regulate the upset price of the different descriptions of land accordingly. I have, however, to remark, that as the upset price originally fixed was 100*l.* per acre in the township of D'Urban, and 50*l.* per acre in all other townships in the district, I see no reason why these prices should not be maintained. But in order to accommodate purchasers with small means, the Lieut.-Governor may use his discretion in fixing the size of the lots.

Major-General Sir H. Pottinger, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

(No. 250.)

No. 12.

CEYLON.
No. 12.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, July 14, 1848.

I HAVE received your Lordship's Despatches enumerated in the margin, transmitting the following Ordinances which have been passed by the legislature of Ceylon.

No. 89, May 14,
1848.
No. 90, May 5,
1848, page 110.
No. 92, May 6,
1848, page 133.

No. 6. "For establishing a toll on the road from Kattoogastotte Ferry to the Pangwelle Swamp on the road to the Knuckles, in the Central Province."

No. 7. "For registering palanquins and other carriages let for hire."

No. 9. "To require the owners of dogs to take out licences for the same."

I have to acquaint your Lordship that Her Majesty has been pleased to allow and confirm these Ordinances.

You will communicate Her Majesty's decision to the inhabitants of Ceylon by a proclamation, to be published in the usual and must authentic manner.

I have, &c.,

The Right Hon. Viscount Torrington,
&c. &c. &c.

(Signed) GREY.

(No. 252.)

No. 13.

No. 13.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, July 17, 1848.

1. MY attention has been for some time past more than usually, and most anxiously, directed to the general condition and prospects, and especially to the state of the revenue and expenditure of the Island of Ceylon. The great importance of that possession, the amplitude and variety of its native resources, the field it has opened to European capital and enterprise, its geographical position as the key of the Indian Ocean, and the great insular outpost of the British empire in the East; its salubrious climate; its unrivalled harbour, pointing it out as the great reserve station of our military and naval force in that quarter of the globe; all these are considerations more than sufficient to invite the special attention of Her Majesty's Government, and to induce me to leave untried no effort that could possibly be brought to bear to aid its development and disembarass its internal resources. With this purpose in view, I deemed it advisable in the beginning of last year to appoint a Committee for the consideration of the various questions connected with the finance and taxation of the island, which had been brought before me by the late Governor Sir Colin Campbell, on his transmission of Reports from some of the principal officers of the local Government on these subjects. The Report of that Committee, and the steps taken by your Lordship in consequence of its recommendations, have led to divers important financial changes either already in operation or about to be introduced, to the equalization of import duties on articles of British and of Foreign produce, to the abolition of export duties on all articles except the staple commodity of cinnamon, to the reduction of the export duty on cinnamon itself by two-thirds of its amount, and to the organization of a plan of general settlement and survey of all lands in the island, with a view at some future time to the imposition of a moderate and equitable land-tax, the produce of which may warrant a still further reduction of indirect taxation,

2. So far the recommendations of the Committee, and the consequent instructions forwarded by me for your guidance, appear to have been acted upon with vigour and success, and every relief to have been extended to the commerce and industry of the colony which the state of its finances would possibly allow.

3. Subsequently, however, to the completion of the Committee's Report, and to the transmission to you of my Despatch (No. 40) of the 18th June last, various circumstances have occurred, and further information has been laid before me, which, though in no wise affecting the guiding principles of that Report and Despatch, must introduce new elements into the consideration of

CEYLON.

their subject-matter, and in some degree modify the practical conclusions to be come to finally in their regard.

4. First. In the first place, it appears from the Auditor-General's Report on the Revenue of the Colony, of the 10th June last, and your Despatch covering the same, that the Committee, in assuming as they do at the very outset of their Report, that Her Majesty's Government, in dealing with the finances of Ceylon, may count first on a large accumulated fund actually in hand, and secondly on a considerable annual surplus, have been wholly misled by erroneous accounts from the island, and have arrived at a conclusion which is directly the reverse of the fact. This imaginary surplus of above 200,000*l.*, on the existence of which the Committee have so confidently counted, must, it appears, be reduced, in the first instance, by the sum of 87,400*l.*, the amount of Government paper payable on demand, and further by the deficit of revenue under expenditure for the two years 1846 and 1847, which have elapsed since the date at which the Committee closed their financial inquiries. I believe I am rather under than over-stating the amount when I estimate the joint deficit of these two years at considerably more than 100,000*l.*; and as from the depressed state of industry and trade, and reduction of taxation under the new Ordinance, a still further falling off of the revenue may be reasonably anticipated, it becomes a serious and urgent duty, instead of devising schemes for the disposal of a surplus, to provide at once the means of meeting the deficiency, and consequently if the revenue of the colony cannot be increased or maintained, it follows that the expenditure of the colony must be reduced to the extent which the exigency of the time demands.

5. Secondly. The measures passed by the local legislature during its last session for the relief of trade, and the diminution, or more equal distribution of the public burdens, may for a time produce some further loss to the revenue. It is far from my intention to express any disapprobation of the sanction which your Lordship has given to these various measures of reduction and relief. Recommended as they were by the Report of the Committee above alluded to, and based on sound principles of general policy and expediency, they will doubtless be productive of permanent good when the embarrassments of the moment have passed away. So far, therefore, from directing you to stop in the course of that liberal policy which you have begun, or to endeavour to re-impose any of the taxation which you have abandoned, I am of opinion that you should continue to move cautiously, but firmly forward, and by proposing the abandonment of the remaining duty on cinnamon, as soon as you shall feel yourself justified in so doing, relieve the whole export trade of the colony from taxation. But the necessity for such measures is only another reason for the immediate reduction of expenditure.

6. Thirdly. It would appear from your various communications on the subject during the past year, and especially from your Despatch of the 16th March last, that the project of a general land tax in Ceylon, which was mainly relied on by the Committee of last year as the means of meeting the deficiency of revenue which was expected to arise from the relinquishment of such taxes as it became absolutely necessary to abandon, is not one from which any immediate relief can possibly be anticipated. I perceive that in the absence of this contemplated resource your Lordship has endeavoured to meet the deficiency by the imposition of certain stamp duties, the probable amount of which there appear to be no certain data for accurately computing. As far as I can judge it is not likely that they will supply the place of the taxes given up, and meet at the same time the growing demands of the annual expenditure. Of the two sources therefore of additional revenue, which have been successively proposed to meet the exigencies of the time, the one, it appears, is distant, the other uncertain in amount. Hence, it becomes a duty, without implying any doubt as to their eventual result, to make without delay or hesitation such reductions as will enable the colony to maintain its government and meet its engagements.

7. The various considerations which I have here premised point irresistibly to one conclusion—the necessity of ascertaining by a searching examination what reductions of the permanent burdens and the fixed establishment of the colony are practicable, in order that those which are found to be so may at once be carried into effect. Upon this point I observe that the sub-committee of the Legislative Council in their report on the estimates of the current year,

"invite the serious attention of the Government, and through them of the Home authorities, to the permanent charge for the fixed establishments of the colony, whose prospective amount will receive a formidable augmentation from time to time as the parties now in active employment come to claim their several pensions from the Treasury. This charge," they remark, "is even at this moment embarrassing, from the obstacles which it presents to the reduction of departments, whose present duties might with advantage be curtailed, or dispensed with altogether, but which cannot now be economically interfered with, owing to the permanent attachment of these offices to the Government."

8. The remarks of the Legislative Council, together with the suggestions and information contained in your confidential despatch of the 13th September last, plainly show that the real remedy for the financial embarrassments of the island is clearly perceived and well understood on the spot. It is, indeed, impossible to examine the estimates for the current year without being struck by the heavy expenditure entailed on the colony by its public establishments. The expense on this account alone amounts, I find, to no less a sum than 210,168*l.*, being 30,549*l.* more than the whole expenditure of the Cape of Good Hope, including 10,000*l.* set apart for immigration.

9. The pension list of the island alluded to by the Committee has, I perceive, already reached the annual sum of 35,877*l.*, while the yearly amount deducted by stoppages from the salaries of officers on the fixed establishment is only 3420*l.*; and as the committee remark, the latter amount is now at its maximum, while the charge is likely to increase from year to year.

10. The bare enumeration of these facts and figures is enough to warrant me in calling the serious attention of your Lordship, and of your Executive Council, to the important subject on which they bear, and the following is the course which, after mature consideration of all the circumstances of the case, I have come to the conclusion that it is incumbent on me to direct you to pursue.

11. Immediately on receiving this Despatch, you will lose no time in laying it before the members of your Executive Council. When it shall have been sufficiently considered, you will proceed at once to pass in review the whole of the fixed establishments of the colony, in all their details, inquiring into the efficiency of each department, its numerical strength, the claims and services of each of its members, and the proportion, or disproportion of its cost, and its results. You will take this opportunity to inquire into the various branches of expenditure which press the most heavily on the resources of the island, and to consider how far their present system may be modified, or wholly remodelled with advantage to the public service. The military establishment in particular will call for your especial attention. But I shall reserve this subject for a separate despatch, after I have communicated with the military authorities in this country, and come to a resolution as to the retrenchments that may be therein effected. As it is clear that the time has now come for a total and organic change in the personal constitution of the civil service of Ceylon. You will follow up the course of inquiry commenced in your confidential Despatch of the 13th of September last, to which I have already referred, and report how far that service in its present form has answered the purposes to which it was intended to accomplish, and how far its peculiar requirements may permit of its being modified in a still greater degree, or placed on a wholly new and more economical footing. You will further consider the claims of the actual members of that service, both as to their present position in active employment and their prospective right to retiring pensions, so as to reconcile as far as possible the needful reduction of expenditure with a regard to the claims of present holders of offices.

12. Finally, you will digest into a definite project the result of your inquiries and deliberations, and lay it before the Legislative Council of the colony, to be there considered and discussed, previously to its ultimate transmission for the approval of Her Majesty's Government.

13. In thus sketching out to your Lordship the general features of the plan of reduction and reform, which I consider to be urgently necessary for the prosperity of the colony over which you preside, I have purposely avoided fettering your discretion and judgment, in conducting the inquiry, with reference to details. You will be the best judge of the course to be adopted for making

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the inquiries, and digesting the project which I have prescribed; among your Executive Council you will find, I am aware, more than one gentleman qualified by general attainments and local knowledge for the task which will be imposed upon it. It appears to me a matter of paramount importance, that any plan involving as it may an organic change in the whole constitution of the civil service, and the whole system of expenditure in the island should originate in the colony itself, and be well matured in the sphere in which it is intended to operate before receiving the final sanction of Her Majesty, and before the passing of any permanent law to carry it into practice.

14. For this purpose I have directed that it be finally laid before the Legislative Council, as the most natural and impartial exponent of the enlightened public opinion of the colony. In taking this step I am happy to avail myself of an opportunity of extending to that body a greater share of political and legislative power than they have hitherto enjoyed. In the present social condition of Ceylon, with a large native population, but partially educated, and imperfectly informed, unacquainted with any but a despotic form of civil polity, and unfitted for self-government, because unaccustomed to self-control, it would be obviously impracticable to introduce at present the principle of direct representation into the legislative body of the colony; but as there exists, and will probably continue to increase, a body of European proprietors, capitalists, and merchants, in the very centre of this native population, as on their influence and example, their industry and their wealth, the prosperity of the colony must mainly depend, it must naturally be the desire of the British Government to recognize, in this class at least, the nucleus of a future population of freemen, around which native intelligence and education may cluster, and which may hereafter be the basis of a more extended representation. Following out this principle, I consider that the time is now come when it would be advisable to extend to the Legislative Council a control over the whole annual expenditure of the colony, instead of confirming its power as hitherto to the contingent expenditure alone; a change for which the contemplated revision of the establishment seems to offer a convenient opportunity.

15. In writing my Despatch of 18th ultimo, No. 216, I was under the impression that this control existed already, and that that part of the expenditure of the colony which is not provided for by the estimated annually submitted to the Legislative Council, was defrayed under the authority of a permanent Ordinance. From explanations which have since been furnished to me, I have ascertained that in this respect the existing arrangement is different from that which I had supposed, and that the charges of the fixed establishment are paid, without having been sanctioned by the Legislative Council, upon the authority which has from time to time been given by successive Secretaries of State for the different items of this expenditure.

16. This arrangement I regard as highly irregular and objectionable, and I have, therefore, to instruct you to take measures for passing, as early as may be practicable, without inconvenience, an Ordinance permanently charging upon the revenue of the colony those fixed expenses for which it is expedient so to provide, instead of leaving them to be included in the estimate annually submitted to the Council.

17. When such an Ordinance shall have been passed, you will understand that all subsequent changes in the fixed establishment must be effected by virtue of Ordinances amending the laws previously in force, and that no part of the revenue of Ceylon is thenceforward to be applied to any object whatever except under the authority of the Legislative Council. Any new charges which it may from time to time be proper to incur must, in the first instance, be submitted for the approbation of Her Majesty's Government, and then brought under the consideration of the Legislature. When this arrangement comes into force, a moderate sum should be granted among the items of the fixed expenditure to provide for any unforeseen and extraordinary charges which, in the interval between the sessions of the Legislative Council, it may be necessary to meet; an account of the actual application of the money so granted, being regularly laid before the Legislature with the other accounts of the year. I should not wish this change in the existing arrangements to take place until you shall have completed the inquiry I have in this Despatch directed you to institute into the fixed establishment of the Colonial Government; when that inquiry shall be complete, the result of your labours should

be embodied in an Ordinance clearly defining the amount of the salaries to which the various public servants are to be in future entitled, and of the expenses which are thus to be authorized. It will be convenient that the draft of an Ordinance for this purpose, such as upon full consideration you may feel it right to propose, and may have reason to believe, that the Legislative Council will consent to adopt, should be transmitted to me for the consideration of Her Majesty's Government before it is finally passed into a law.

18. In conclusion, I have only to direct your Lordship to enter, without loss of time, on the course which I have endeavoured to point out, and to report, from time to time, the progress made towards its completion. Its details and its execution must, I repeat, be left entirely to your Lordship and to your executive advisers, and in thus inviting your attention and theirs to the urgency and the general principles of such important reforms and retrenchments, I wish only to record thus formally in the outset my earnest desire for the immediate relief of the colony from the heavy burden of expenditure under which it labours, and my determination to carry out any measures for this purpose which may really tend to its social and financial prosperity.

I have, &c.,

The Right Hon. Viscount Torrington,
&c. &c. &c.

(Signed) GREY.

(No. 253.)

No. 14.

No. 14.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount TORRINGTON.

MY LORD,

Downing-street, July 17, 1848.

IN my Despatch (No. 252) of this day's date, I have treated at some length the question of the financial embarrassments of the Island of Ceylon, and have directed your Lordship to enter, without delay, on the only course of action in which a safe and effectual remedy can be found. I have therein prescribed to you a thorough and immediate revision of the whole expenditure of the colony with a view to its permanent reduction, and I have expressed my confident hope, that the result of such revision and reduction will be at once to disembarass the island from its present difficulties without detriment to the public service. I have particularly called your attention to what appears to be the great burden of the colony, its overgrown "fixed establishment," and I have empowered you to undertake, on the spot, the necessary inquiries and steps for a complete re-constitution of the civil service to be approved by Her Majesty's Government, and finally consolidated in a permanent law or Ordinance by the Legislative Council of the colony.

2. On the subject of military reduction, I am now in communication with the Secretary-at-War, and the result of my inquiries into this branch of expenditure will, as I have already stated, be transmitted to your Lordship in a separate Despatch. For the present, I will confine myself to the expression of a hope, that on this head also it will be found possible to effect such safe and judicious retrenchment as may afford most effective relief to the revenue of the island without impairing its military strenght, or weakening its means of defence.

3. I have now had under consideration your Despatch (No. 80*) of the 14th * Page 99. of April last with the enclosed minutes by yourself, by the Colonial Secretary, by the acting Auditor-General, and by the last-named functionary, conjointly with the Treasurer, and I regret to perceive from these documents that the immediate and pressing embarrassments of the colony are such as to give rise to serious apprehension on the part of yourself and your Executive Council, and to call for the adoption of some immediate measure of relief to enable the colony to meet its engagements pending the examination and inquiry which must be preliminary to the final adoption of the plan of general reduction already referred to.

4. I have likewise had before me an application from the Agent-General here for an advance from the Imperial Treasury for the payment of pensions, and also of the bill for commissariat stores furnished on the requisition of the Ceylon Government, and as it appears from your Despatch,† and its enclosures † Page 99.

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above quoted, that your finances were not then in a condition to enable you to remit the funds necessary for defraying these expenses, there arises a source of embarrassment here as well as in the colony itself, which calls for urgent measures of relief.

5. After a careful consideration of these papers, assisted by the best information I can obtain as to the present condition of the island, its difficulties, its resources, its prospects for the future. I am led to the conclusion that there is nothing in its actual state to justify any want of confidence in its ability to meet all legitimate engagements. On the contrary, looking to the great natural advantages it possesses, to the nature of the causes of its present difficulties, and to the measures in contemplation and in progress for developing its resources, I feel the utmost confidence that the requisite amount of revenue, not only to carry on the Government, but to accomplish the great object of supplying the want of good roads, and of various other public works, will easily be realized hereafter.

6. This permanent relief of the colony from its present embarrassments cannot, however, be reasonably sought for in any other scheme than that which I have already prescribed—an immediate and effective reduction of the colonial expenditure and an augmentation of the revenue. And it is wholly out of my power to entertain the proposals for relief by way of loan from the Imperial Treasury, suggested in your Despatch, and the minutes which it encloses. The statements therein contained only induce me to press still more strongly, if possible, than I have hitherto done, the necessity of prompt and vigorous measures on the spot, and to record still more formally my opinion that such measures only can be safely relied on as a remedy in the present crisis. I must therefore impress on your Lordship with increased earnestness this absolute necessity for early and decisive measures. And I have further to direct you, on the receipt of this Despatch, to suspend every public work, and postpone every contingent expense not of primary necessity until the income and expenditure of the colony shall be equalized. The sums absolutely necessary for carrying on the expenditure at home and abroad must be borrowed in the colony on its own credit, an operation which the known fertility of its natural resources will, I doubt not, enable you to effect on reasonable terms. I must, however, instruct you to confine such loan or loans within the limits of what is absolutely necessary.

7. As regards the requisition of the Agent-General, as there is no time to make provision for his immediate demands, the Lords of Her Majesty's Treasury have consented on the present occasion to make the advance required to meet them. This, however, they have consented to do only on the express understanding that the Ceylon Government will at once take steps to repay the amount, either out of the current revenue, or if that be impossible, by borrowing on the spot to the extent required, and will not again run the risk of leaving the Agent-General without sufficient funds.

8. In thus conveying to your Lordship my final and positive instructions on this important subject, I am well aware that I am imposing on you and on your Executive advisers the performance of an arduous, not to say a painful, duty. The difficulties with which you are now called on to contend are, I am aware, of much more ancient date than the commencement of your own administration in the colony, and it will devolve on you to overcome the obstacles, and even, if necessary, to incur the odium of reforms, of which the necessity has been superinduced by a state of things over which you had originally no control. Your own sense of the duties of your high office, and your honourable ambition to perform them worthily and well, will, I trust, bear you through, and enable you to execute the task which I have now imposed on you in such manner as to merit the approbation of the Crown and the gratitude of the colony over which you preside.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

Enclosure in No. 14.

CEYLON.

Encl. in No. 14.

SIR,

5, Cannon-row, June 13, 1848.

I HAVE the honour to acknowledge the receipt of your letter of the 5th May last, and, in reply, to acquaint you, for the information of Earl Grey, that the estimated cost of the stationery, tools, materials, &c., required for the service of the years 1848 and 1849, by the Government of Ceylon, amounts to the sum of 12,689*l.* 0*s.* 3*d.*, namely:

	£.	s.	d.
Ordnance stores . . .	7,539	0	0
Stationery . . .	3,500	0	0
Beef and pork . . .	1,527	6	3
Clocks . . .	96	0	0
Guage-rods . . .	24	0	0
Lighthouse stores . . .	2	14	0
	£. 12,689	0	3

I beg leave further to inform you, that the expense of providing the stationery supplied to the Government of Ceylon during the last three years has been as follows, viz.:—

	£.	s.	d.
In the year 1846 . . .	1,236	6	1
„ 1847 . . .	2,289	18	0
„ 1848 . . .	2,789	6	1

I have to add that there are no funds at present in my hands to enable me to cover the expense which will be incurred in providing the articles included in this requisition, besides being in debt to the Ordnance and Stationery Offices 14,197*l.*, exclusive of an advance from the Treasury of 10,000*l.*

H. Merivale, Esq.,
&c. &c.

I have, &c.,
(Signed) G. BAILLIE.

(No. 254.)

No. 15.

No. 15.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, July 18, 1848.

WITH reference to my Despatches of yesterday's date, Nos. 252 and 253, on the state of the revenue and expenditure of the island of Ceylon, I transmit herewith, for your information, a copy of a letter addressed to this department by desire of the Lords Commissioners of the Treasury, containing their observations upon the drafts of those Despatches which were submitted for their consideration; and with reference to the passage relating to the terms on which the proposed loan should be raised, I have to direct you to make the best that may be in your power under the existing crisis. The question of the precise manner in which the money may be most advantageously raised must depend so entirely on considerations which can only be judged of on the spot that it is impossible for me to express a decided opinion on the subject. I have only to observe, that the rate of interest payable on the loan should be regulated by that which prevails in the colony, so that the debentures may be issued at par. The effect of fixing the interest at a nominally lower rate would be to depreciate at once the value of the debentures, and as they would then necessarily be issued at a discount, the rate of interest would, in fact, be the same, while the colony would be subjected to the disadvantage of having to repay a larger sum than had been actually received, whenever the local revenue should be in a condition to take up the loan.

July 10, 1848.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

Enclosure in No. 15.

Encl. in No. 15.

SIR,

Treasury Chambers, July 10, 1848.

IN reply to your communication dated the 4th instant, I have it in command to acquaint you, for the information of Earl Grey, that the Lords Commissioners of Her Majesty's Treasury have had under consideration the documents relating to the financial position of the Government of Ceylon, therein submitted to them; and I am to request that you will state to Earl Grey that my Lords entirely concur in the directions regarding the immediate revision of

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the establishments and expenditure of the island, contained in the Despatch (draft A) about to be addressed by his Lordship to the Governor.

I am at the same time to state that in signifying this concurrence my Lords cannot but express their regret at observing that the alterations and arrangements in the civil establishment and departments, which had been so recently recommended by the late Governor, should have given occasion for the representation of the Sub-Committee of the Colonial Council adverted to in the Despatch; and in reference to which they must remark that they do not perceive that there is anything in those arrangements to prevent, or even impede, any desirable reduction, and they are at a loss to understand why the placing of some few additional offices in that class of the colonial establishments which is designated "the Civil Service," should constitute any "permanent attachment of those offices to the Government," or give the parties filling them any more permanent claim upon the Government than they previously possessed.

I am further to request that you will acquaint Earl Grey that, under the special circumstances and emergency of the case, my Lords concur in the sanction which his Lordship proposes to convey by the further Despatch (draft D), for raising by way of loan, on the security of the island revenue, such amount as will be necessary to meet the temporary pecuniary difficulties of the colony, pending the revision of the establishments and expenditure of the Government, and the progress of the other measures of financial reform the Governor has been instructed to adopt; observing at the same time that my Lords conclude the Auditor-General, who is to be the bearer of Lord Grey's instructions, will be put in possession of any general views as to extent, mode of raising, or rate of interest, by which it may be his Lordship's intention that the local authorities should be guided in negotiating a loan.

I am further to state that my Lords having received a statement from the Agent-General for Ceylon of sums required to meet the present demands for the service of the Ceylon Government in this country, will give directions for such advance as may be necessary for this purpose, to be liquidated by the issues from the Ceylon Treasury for the service of Her Majesty's forces on the station, and will cause the amount so advanced to be duly notified to Earl Grey.

I have, &c.,

Herman Merivale, Esq.
&c. &c.

(Signed) C. E. TREVELYAN.

No. 16.

(No. 258.)

No. 16.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON,

MY LORD,

Downing-street, July 19, 1840.

* Page 53.

I HAVE received from your Lordship's Despatch of 4th February last No. 34,* forwarding an Ordinance, which had been passed by the Legislature of Ceylon, "To apply a sum not exceeding 197,950*l.* to the contingent "service of the colony" for the year 1848, together with estimates of the colonial revenue and expenditure.

Her Majesty has been pleased to allow and confirm this Ordinance.

You will communicate Her Majesty's decision to the inhabitants of Ceylon by a proclamation to be published in the usual and most authentic manner.

I have to express the satisfaction of Her Majesty's Government in remarking, that the information afforded by the amended form, in which the estimates on which this Ordinance is founded are made out, is much more ample and specific than heretofore.

I have, &c.,

The Right Hon. Viscount Torrington,
&c. &c. &c.

(Signed) GREY.

No. 17.

(No. 260.)

No. 17.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, July 19, 1848.

* Page 113.

I HAVE received your Lordship's Despatch of 6th * May last, No. 91, forwarding an Ordinance, which had been passed by the Legislature of Ceylon, entitled "An Ordinance to make Provision for the Formation and Improvement of the Means of Communication in the Island."

Her Majesty has been pleased to allow and confirm this Ordinance.

You will communicate Her Majesty's decision to the inhabitants of Ceylon by a proclamation to be issued in the usual and most authentic manner.

In signifying to your Lordship Her Majesty's pleasure as regards this Ordinance, I have to express my entire approbation of the principle on which it is

founded, and my hope that it may be productive of very important advantages to the colony; and I have also much pleasure in recording my opinion that it is drawn up with so much ability as to reflect great credit upon the Council of Ceylon.

CEYLON.

The Right Hon. Viscount Torrington, I have, &c.,
&c. &c. &c. (Signed) GREY.

(No. 292.)

No. 18.

No. 18

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD, Downing-street, September 30, 1848.

I HAVE received your Lordship's Despatches of 9th* and 12th† of July last, Nos. 126 and 131, reporting the tumultuous assemblage of the natives in Kandy with the avowed object of complaining of the recent Ordinances imposing a tax upon fire-arms and dogs, and also of the road Ordinance.

* Page 135.
† Page 144.

I approve of the measures adopted by your Lordship on this occasion, and I have to desire that you will communicate to Sir E. Tennent my acknowledgment of the great judgment and energy which characterized his proceedings with the Kandyan malcontents.

The Right Hon. Viscount Torrington, I have, &c.,
&c. &c. &c. (Signed) GREY.

(No. 299.)

No. 19.

No. 19.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD, Downing-street, October 20, 1848.

I HAVE received your Lordship's Despatch of the 15th August, No. 151,* forwarding a petition signed by a numerous body of the inhabitants of Galle, in which they pray to be exempted from the payment of the taxes recently imposed upon them by the Government of Ceylon.

* Page 204.

In acquainting the petitioners that I have duly received that document, I have to request that your Lordship will apprise them that I must refer them to the local Legislature, which, I have no doubt, will give all due consideration to any objections they may have to urge against the taxes they complain of.

The Right Hon. Viscount Torrington, I have, &c.,
&c. &c. &c. (Signed) GREY.

(No. 303.)

No. 20.

No. 20.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD, Downing-street, October 24, 1848.

I HAVE received and laid before the Queen the various Despatches enumerated in the margin, containing the intelligence of some riotous proceedings which took place at Colombo, and of the subsequent attempt at insurrection in the province of Kandy, which your Lordship states to have been promptly suppressed.

Nos.
141, 9 Aug., 1848, p. 148.
142, 10 " " p. 159.
143, 14 " " p. 168.
144, 14 " " p. 186.
145, 15 " " p. 191.
146, 15 " " p. 193.
149, 15 " " p. 199.
Separate, 16 Aug., 1848,
p. 205.

2. The Queen has learnt with regret that the public peace of the colony had been disturbed, and that a part of the native population had been excited to acts of rebellion by false representations industriously circulated as to the

intentions of the local Government, and as to the nature and objects of the Ordinances recently passed to sanction the imposition of certain new taxes which had been rendered necessary, by alterations in the financial arrangements of the island, involving a large reduction of objectionable taxes, for the benefit and encouragement of its trade and commerce.

3. I have, however, great satisfaction in conveying to your Lordship Her Majesty's approbation of the measures taken to restore tranquillity, and maintain the authority of the Government; and of the decision, promptitude, and judgment with which you acted in putting down the attempts which were made to disturb the peace of the island, and to set up an usurped and illegal power.

4. Her Majesty has also observed with satisfaction that you were cordially and energetically supported by the civil and military authorities of the colony. You will direct the Major-General commanding the troops to signify to Colonel Drought, and to the officers and men who were employed, Her Majesty's approbation of their services. The speedy suppression of the insurrection seems to have been in a great measure due to the able and judicious manner in which Colonel Drought availed himself, in the first instance, of the small force under his command, and to the courage and steadiness with which both officers and men acted against the large numbers of the insurgents.

5. In conveying to your Lordship Her Majesty's approval of the measures taken to suppress this attempted revolt, I must express the satisfaction with which I have observed that these measures have also been properly appreciated by many of the colonists, as appears from the resolutions adopted at public meetings at Kandy and at Colombo, which you have transmitted to me. I have further to add, that it is not merely your exertions at the moment of danger which seem to me entitled to approval, and that my confidence in the policy you had previously adopted, and which is alleged to have been the cause of these disturbances, is in no degree shaken by the occurrences to which I have referred.

6. In another Despatch I propose to enter somewhat fully into the grounds on which I have come to a conclusion favourable to the principle of your recent financial measures, and it is gratifying to me to find in the papers before me, and especially in the speech of Sir H. Maddock at Kandy, and in the interesting communications of Sir E. Tennent, abundant evidence to show that these disturbances cannot be attributed to anything really oppressive, either in the nature or in the amount of the taxes imposed by the recent Ordinances. If, therefore, it is true, as has been asserted, that these Ordinances were the immediate cause of the outbreak, they can only have been so in consequence of the studied misrepresentations of their effect which had been deliberately disseminated by European agency, and in the native language.

7. Your Lordship, with the aid of the Executive and Legislative Councils, will, I am sure, carefully weigh every practical objection to these laws, and be anxious to remove every injurious provision calculated to press with any harshness or injustice upon either classes or individuals; and I rely upon your not losing sight of the importance of remedying defects whether in the Ordinances in question, or in the general administration of the law, and, above all, that you will apply yourself to the correction of what seems to me the principal fault in the system of Government now existing in Ceylon, which has been brought to light by these transactions, I mean the absence of sufficient opportunities for the natives in some districts freely to communicate with the various agents of the Government, in order that their representations may be carefully and candidly considered (especially in reference to such measures as those lately adopted), so that any grievances they may justly complain of may be promptly redressed, and any unfounded apprehensions they may be led to entertain by erroneous notions as to the intentions of the Government may be removed. Nothing it is obvious can so effectually contribute to this important object as a knowledge of the native languages on the part of the agents and servants of the Government; it is indeed a necessary qualification for the effective discharge of their most important duties. A knowledge, therefore, of these languages must in future be considered as an indispensable condition of promotion, and you will take care to adopt such measures as you may think best calculated to test the qualification in this respect of the different civil servants, in order that this condition may be strictly enforced.

8. I concur in your Lordship's opinion that is necessary to punish with severity the leaders and promoters of this insurrection, which will prove the most merciful course in the end. But whilst it is necessary to vindicate and maintain the law, it is desirable that acts of justice and severity should be strictly limited to what is inevitably called for by the occasion, and that the prevailing character of measures consequent upon excitement and insubordination should at all times be that of moderation and clemency towards those who have been misled. This implies no indulgence towards the guilty contrivers of sedition, nor any forgetfulness of the claims to consideration and protection of the loyal, peaceable, and industrious, who constitute, as I am happy to find, the great majority of Her Majesty's subjects in Ceylon.

The Right Hon. Viscount Torrington, I have, &c.,
&c. &c. &c. (Signed) GREY.

(No. 304.)

No. 21.

No. 21.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, October 24, 1848.

1. I HAVE received your Lordship's Despatch of the 15th of August last, No. 147,* with which you forwarded two memorials from the Chairman and certain members of the Chamber of Commerce. These memorials urge various objections to the imposition of the taxes recently sanctioned by the Legislature of Ceylon and to the arrangements proposed for their collection. They complain also of the general system upon which the affairs of the island are administered, and after praying that "a Commission be appointed, without delay, for the purpose of ascertaining in what manner the economy which has now become of such vital urgency can be effected with the least injury to the public service, it is further prayed that I should appoint, without delay, "an Independent Commission, to hear and report upon the state of the colony, the ministrations of Government, its laws and revenues, and all such other matters affecting the interests of the same."

* Page 195.

2. Your Lordship has also transmitted a copy of a letter, addressed to the Colonial Secretary, by certain other members of the Chamber of Commerce, expressing their dissent from the statements contained in these memorials.

3. I have to request that you will inform the memorialists that I have received their memorials, but that it is out of my power to comply with their prayer by appointing such a Commission of Inquiry as they desire, but for which I find no adequate reason assigned. I have already, in my Despatch of 17th July last, No. 252, directed your Lordship to institute an inquiry more likely to be effective than that suggested by the memorialists into the financial affairs of Ceylon, with the view of effecting all possible reductions of expenditure; and with regard to the proposed appointment of an Independent Commission to conduct a more general inquiry into the system of government, I consider such a measure to be entirely uncalled for, inasmuch as the admitted defects of the existing system of administration have already occupied your anxious attention, and I have so much cause to be satisfied with the judgment and vigour with which the affairs of the colony have been administered by your Lordship, with the assistance of the Executive and Legislative Councils. I am happy to find that my opinion as to the credit due to your Lordship and to the Local Government, more especially for the energy and promptitude of the measures adopted to put an end to the recent disturbances, is supported by that which has been expressed by a large proportion of the inhabitants of the island, and particularly by a public meeting held at Kandy, and presided over by a gentleman of such high character and station, and of so much experience in the affairs of India as Sir H. Maddock.

4. You will further inform the memorialists that I am convinced that, in these circumstances, the adoption of the measures which they have recommended would have no other effect than that of keeping up an injurious excitement in the minds of the population; and that I greatly regret that the memorialists, instead of bringing any defects in the details of the recent Ordi-

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nances under the consideration of the Local Government, either when those Ordinances were in progress through the Legislative Council or since (when, I have no doubt, their suggestions would have received the most prompt and careful attention), should have thought proper to take the opportunity, when an attempt at insurrection had but just been suppressed, of addressing memorials of such a character as those now before me, not to your Lordship, but to myself, containing what, I am compelled to observe, are very inaccurate statements of the real nature and tendency of the measures and policy of the local authorities, and which are, therefore, far more calculated to create discontent than to assist in effecting those reforms and improvements in the administration of the colony, and more especially in its finances, which it is the earnest desire both of the Colonial Government and of Her Majesty's confidential servants to accomplish, but which cannot be otherwise than gradually introduced.

I must add that, in my judgment, no small portion of the responsibility of these unfortunate disturbances rests with those who have, through the press and by other means, endeavoured to create discontent amongst the native population, and to misrepresent directly to them the measures of the Local Government, and I am glad, therefore, that the members of the Chamber of Commerce have by no means unanimously concurred in these memorials, the publication of which, at the time it took place, I must regard as ill-timed and imprudent.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

No. 22.

(No. 305.)

No. 22.

COPY of a DESPATCH from Earl GREY to the Right Hon. Viscount
TORRINGTON.

MY LORD,

Downing-street, October 24, 1848.

1. IN more than one of the other Despatches which will reach you by the present opportunity, I have expressed the satisfaction which I have felt at your prompt and successful efforts to put an immediate end to the insurrection which, unhappily, has recently occurred in Ceylon. But considering that so much objection has been taken on this occasion to your financial measures, and that memorials have been transmitted to me to ascribing the outbreak to the just discontent these measures are said to have created, I consider it due to you to record more fully than I have yet done some of the general grounds on which I approve of those measures, and on which they still appear to me to be deserving of approval.

2. In the first place, it must be borne in mind that a review of the whole financial system of Ceylon had become absolutely indispensable. I need not recapitulate at any length the circumstances which created this necessity, for they are sufficiently adverted to in the outset of the Despatch I wrote to you on the 17th of July last, No. 252.* Within the last few years Ceylon had, for the first time, become a field for the skill and enterprise of British settlers, and by that means acquired a prospect of the numerous social advantages which must follow from the residence amidst a rude population of persons having the habits and acquirements of civilization. The methods, however, of raising a revenue which had grown up concurrently with the obsolete system of Government monopolies, were quite unsuited to the spirit of commerce, and even had it been otherwise, the fact came to light, not merely that the surplus which had been believed to have accumulated in former years was much smaller than had been supposed, but also that a large proportion of the revenue, which had been depended upon in settling the former financial arrangements of the colony, had been derived either from sources of an extraordinary kind, the continuance of which could not be calculated upon, or from taxes which could not be maintained, and that thus, under these arrangements, the revenue from the close of 1845, had fallen so far short of the annual expenditure that the previous surplus had been absorbed, and there was a very large deficiency to be provided for when the Colonial Budget of the present year came under your consideration. The alterations, therefore, in the

* Page 331.

previous system of taxation which, with the concurrence of the Legislative Council you introduced, far from having been rash and uncalled-for, were dictated by the most imperious necessity.

3. Your Lordship is aware that in laying down the principles on which it appeared to me that the task of revising the financial arrangements of the colony should be undertaken by those on whom, as resident upon the spot and having the fullest information, I felt that the principal charge of performing it must devolve, I impressed upon you the plain and obvious policy of trusting for a restoration of the finances of the colony, not to any measures it might be in your power to adopt in order to obtain a larger revenue, but, on the contrary, to the reductions of expenditure which must be affected in order to bring down its amount within that of the income on which you might fairly calculate. It was impossible for me to convey in language more emphatic than in the Despatch to which I have above referred, the injunctions of Her Majesty's Government that no practicable retrenchments should be spared until this paramount object was effected; and I am satisfied that these instructions will be acted upon by yourself and the principal officers of your Government, and by the Legislative Council, with the requisite union of vigour and of regard for existing rights and for the wants of the public service. It has not, therefore, been for the purpose of upholding an excessive amount of establishments that the new taxes in Ceylon have been approved, but they were sanctioned for the sake of the same object which led your Lordship to propose them, namely, the improvement of trade and encouragement of industry by the reduction of other taxes calculated to retard the progress of the colony.

4. The real question which, perhaps, would be found to lie at the bottom of any fair and impartial discussion of this subject, is a comparison between the merits of direct and indirect taxation, as the means of obtaining from the humbler and most numerous classes of the population the contributions towards the exigencies of the public service which in some form must be required from them. That in one shape or another these classes must contribute their share of the taxes, in order to afford that public revenue which is essential to the first objects of society, is a truth which I believe will not be denied. It has again and again been demonstrated that the largest fortunes in a community, even though they were entirely sacrificed, would prove but small, compared with the wants of the whole society. It is only by the aid of contributions which, whilst rendered as little burthensome and as equitable as possible, are yet, directly or indirectly, paid by those whose only income is derived from their labour, and who form the great majority of every community, that it is possible to derive an adequate public revenue. Assuming this point to be conceded, the only question can be, whether it is most for the advantage of the humbler classes, and for the good of society, that their contributions should be made directly or indirectly?

5. Now I believe that in this respect there is a great difference between European and Asiatic communities. In a more advanced state of society, such as exists in our own country, the habits of even the humblest of the people are such that they pay their full share of the taxes imposed on articles of consumption, and it admits of doubt whether, owing to the competition for obtaining employment in a densely-peopled country, where there is no other resource to the poor man than labour for wages, some of those taxes which are apparently charged upon property do not really fall upon the labourers. In such a country it would neither be fair nor politic to subject them likewise to a taxation falling directly upon their own class. But in such countries as Ceylon the case is very different. The disposition of the natives is to be content with the subsistence which they can obtain, almost without labour, from a fertile soil; their climate renders very little clothing necessary; they purchase very few luxuries, or articles of importation; and they can rarely be induced to labour for hire, considering the indulgence of idleness preferable to any luxury which they could purchase by means of their industry.

6. By such a people comparatively little can be contributed to the Customs revenue, because their consumption is so limited, both in its nature and amount. Neither could taxes laid on any particular branch of industry, as, for instance, coffee planting, reach them, for they do not generally work for hire. Their habits, fortunately, are temperate, but for this very reason the revenue which can be derived from an excise upon liquors, or from licences for their sale, is

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necessarily limited in amount. It appears quite obvious, therefore, that either some direct impost must be laid upon them, or else that the great bulk of the population cannot be made to contribute such an amount to the public revenue as is absolutely necessary if those institutions and that machinery of government are to be kept up which are essential to the progress, and even to the maintenance, of civilized society.

7. It is probably for some such reasons as these that, from the earliest ages of which we have a record, the people of India and of Ceylon have been subject to direct taxation in some shape or other, principally by requiring either gratuitous service or the contribution of a proportion of the produce of their labour from the cultivators of land. The methods adopted of imposing this burthen on the population may have been objectionable, and it is my own opinion that, both in India and under the native Governments in Ceylon, they were generally either extremely objectionable in themselves or were much abused; but the practice of requiring direct contributions from the mass of the people appears to me to have arisen from a necessity, inherent in the character, circumstances, and habits of the people, which must continue equally to be felt by their present rulers. But, further, it appears to me to be a mistake to regard the imposition of direct taxation to a moderate amount, upon a population in such circumstances, as really injurious to them. I am persuaded that it may, on the contrary, be conducive to their true welfare. The view of this subject which I conceive to be erroneous has probably been adopted from applying to a very different state of society a judgment founded upon that to which we are accustomed in Europe. In all European countries the necessity of supplying their daily wants is, to the labouring classes, a sufficient motive to exertion; indeed, the difficulty which they experience in obtaining the means of comfortable subsistence is so great that it has generally been considered (as it always ought to be) the great object of the Governments of these countries, in their financial arrangements, to avoid aggravating this difficulty by the imposition of taxes calculated to enhance the cost of subsistence. But the case is very different in tropical climates, where the population is very scanty in proportion to the extent of territory; where the soil, as I have already observed, readily yields a subsistence in return for very little labour; and where clothing, fuel, and lodging, such as are there required, are obtained very easily. In such circumstances there can be but little motive to exertion to men satisfied with an abundant supply of their mere physical wants, and accordingly experience proves that it is the disposition of the races of men by which these countries are generally inhabited to sink into an easy and listless mode of life quite incompatible with the attainment of any high degree of civilization. But if it be admitted, as I think it must, that the real welfare of mankind consists, not alone in the enjoying an abundance of the necessities of life, but in their being also placed in a situation favourable to their moral improvement, and to their advance in civilization, it follows that, in such countries as I have adverted to, it may be for the true interest of the working classes that the contributions demanded from them towards the wants of the State should somewhat increase the amount of exertion required for procuring a subsistence.

8. The greater progress which civilization has made in temperate as compared to tropical climates, has always, and I believe justly, been attributed to the power with which necessity, which is proverbially the mother of invention, and the mainspring of human exertion, has operated in the former as compared to the latter; hence the obvious policy of giving additional force to this stimulus in those cases in which it is found to be deficient.

9. Nor is it to be lost sight of that while direct taxation is, in such circumstances, calculated to promote the progress of society, indirect taxation has the very opposite effect. To create and to foster a taste for the habits of civilized life in a rude population, it is requisite that they should have before them the example of civilized men, and that the gratification of the wants of civilized life should be rendered as easy to them as possible; but with this view imported articles should be rendered cheap, and those branches of trade and industry which require the direction of civilized and educated men, such as the production of sugar and coffee, should be encouraged. Hence the peculiar importance of avoiding the imposition of any taxes which can interfere with trade, and the expediency of adopting the very opposite policy to that which would be proper in Europe, by endeavouring, in the imposition of taxes, to make them

press, so far as prudence will admit, rather upon those who are content with a mere subsistence than upon the possessors of property and the purchasers of luxuries. I cannot forbear remarking that what is now taking place in the West Indian colonies, and the difficulties which are there experienced from the deficiency of adequate motives for industry, afford a striking illustration of the justice of the views I have thus explained to you.

10. I have dwelt longer on these general topics than I should otherwise have done, because I have been anxious to explain my reasons for believing that, quite independently of any immediate exigency in the affairs of Ceylon, there were wider and more permanent causes which rendered the kind of taxation you suggested the most natural and the best adapted to the country for which it was designed. It only remains for me now to say a few words on the question how far the particular measures themselves were well chosen and properly adapted to their purpose.

11. The most important of the new taxes, and those which have been most objected to, are the tax of six days' labour, or 3s. in money, imposed by the road Ordinance, upon every male inhabitant of the colony for the maintenance of the roads, and the annual licence duty of 2s. 6d., which is made payable for the right of carrying a gun. Perhaps the latter can hardly, with strict correctness, be termed a direct tax; it is rather a payment, very moderate in amount, which the State requires from all who choose to avail themselves of the privilege of having guns, and the primary object of the law was not that of raising a revenue, but of establishing a registration of arms, which has been considered to be necessary as a police regulation for the public safety both by your predecessor and by yourself. It appears that the guns so generally possessed by the natives of Ceylon are used, to a great extent, in the pursuit of game, which abounds in that island, and I do not know of any more proper subject for taxation than this amusement. It has indeed been asserted, that guns are absolutely necessary for the protection of the crops from wild animals in many parts of the island, and that this is the object for which they are usually kept. I believe there is much reason to doubt the accuracy of this statement, but were it correct, the amount of the charge thus imposed upon the cultivator is absolutely insignificant in comparison with the lowest amount paid by the peasant in the most favoured parts of India. It is further to be observed, that this is not a tax calculated to check production, like a land-tax such as is often levied in India, taking from the cultivator a fixed portion of his produce, and it affords little, if any, pretence for abuse in levying it. There may possibly be objections to the manner in which the tax has been collected at the outset, and an absence of proper facilities for obtaining licences in remote parts of the country, but these are faults of detail obviously capable of being remedied, and I am of opinion that it would be an advantage, instead of the reverse, if, for the more easy collection of the tax, it should be found necessary to make an arrangement requiring some European servant of the Government annually to visit every village, however remote, in the colony. The absence of sufficient communication between the Government and the natives of the more remote districts, has, I believe, justly been regarded as one of the great faults of the administration of Ceylon.

12. With regard to the road tax, the same general considerations which have already been adverted to apply with even greater force. With a view to the progress of civilization, there is no object in the promotion of which the inhabitants of Ceylon are more deeply interested than in the improvement of the roads; it is one, therefore, to which they may most justly and properly be required to contribute, and while it will be a great relief to the general revenue to provide for this most necessary service by a local charge, I trust that the local benefits derived from it will speedily reconcile the population to so moderate an imposition. An assessment upon the land benefited by the roads would have been in many respects a preferable mode of imposing the burthen, but I am aware of the apparently insuperable difficulties which, from the peculiar state of things in Ceylon with reference to the occupation of land, you would have had to encounter in endeavouring to establish such an assessment, and I am therefore of opinion that the measure which you have adopted was the best which was immediately open to you. As far as it is possible to judge from the necessarily imperfect knowledge I possess of the state of society in Ceylon, I should think that the share which the people themselves are to have in the

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administration of this law is well calculated to prevent abuse, and may be the commencement of a more complete system of local organization.

13. I do not think it necessary, on this occasion, to enter into any examination of the other taxes you have imposed, as it does not appear to me that they involve any of those larger considerations of policy to which alone I conceive it to be my proper province to advert. It is for yourself, and for the members of the Legislative Council, as possessing a local knowledge which it is impossible that I should acquire, to consider and decide upon the particular measures to be adopted in order to carry into effect that general system of financial policy in Ceylon which has received the sanction of Her Majesty's Government.

The Right Hon. Viscount Torrington,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

APPENDIX.

CEYLON.

No. 1.

Despatches from the Governor.

No. 1.

No. 1.

EXTRACT of a DESPATCH from Governor Sir COLIN CAMPBELL to the SECRETARY of STATE for the Colonies, dated Ceylon, Pavilion Kandy, March 22, 1842.

"THE excitement created by the late disasters in India has much subsided here, and although I am aware that Buddhist Priests and others have been traversing the country circulating false reports, I have the satisfaction of knowing that things in the interior remain tranquil, and I have every reason to believe that the reports sent to me were much exaggerated.

"Your Lordship may rely that I shall be upon my guard, and that every precaution shall be taken to watch and frustrate the designs of the disaffected."

No. 2.

No. 2.

EXTRACT of a DESPATCH from Governor Sir COLIN CAMPBELL to Lord STANLEY, dated Pavilion, Kandy, April 18, 1842.

"SINCE I had the honour of addressing your Lordship on the 22nd ultimo, I have the satisfaction of informing you, that from every information I have been able to obtain as to the state of the interior, I am fully persuaded that the reports which prevailed as to the excitements said to exist, were very much exaggerated indeed, but certainly there is considerable dissatisfaction."

No. 3.

(No. 70.)

No. 3.

COPY of a DESPATCH from Governor Sir COLIN CAMPBELL to the Right Hon. Lord STANLEY.

The Queen's House, Colombo,
May 9, 1842.

MY LORD,

AT the date of my last report upon the condition of the interior, although I had received many reports of the existence of a pretender to the Kandian throne, I had received none upon which implicit credit could be placed, and all the chiefs treated it as an idle rumour. About that period, however, one of the principal chiefs stated to the Colonial Secretary, that he had received information which convinced him that such a person did exist, and that numbers of the natives resorted to him, principally from curiosity. Rumour had always asserted the principal attendant of the pretender to be one Polgaspittye Duckgannerale, one of the household of the late king. Emissaries were employed to obtain access to the pretender, and such decided information was at length received of a person claiming to be king of Kandy having been for some time past in the district of Upper Doombera, at villages 15 or 18 miles from Kandy, collecting arms, and endeavouring to excite the people to rebellion, that I felt it necessary to take steps for his apprehension, or at least, if I should fail in that, to disperse his adherents; particularly as the natives were in a state of such alarm, that it was found impossible for the planters to procure labourers, owing to the apprehension of disturbances, which were generally prevalent. Accordingly on the night of Tuesday, the 26th ultimo, I sent out two parties of Malays of the Ceylon Regiment to arrest the pretender: they failed in arresting him, but Polgaspittye Duckgannerale, the prime minister, was arrested (with arms in his hands) by the inhabitants of the district, and I have this day received a notification by express, that a person supposed to be the pretender has also been arrested by the people of the country.

I have only to add, that I remained at Kandy until Polgaspittye Duckgan-

nerale was arrested, and I have no reason whatever to apprehend any consequences more serious than the difficulty experienced by the coffee planters in inducing labourers to go to the interior, this difficulty will, I trust, soon die away.

It is remarkable, that though arms are now very abundant in the country, very few of the persons surrounding the pretender are said to have been armed.

(Signed) I have, &c.,
COLIN CAMPBELL.

The Right Hon. Lord Stanley,
&c. &c. &c. }

(No. 177.)

No. 4.

No 4.

COPY of a DESPATCH from Governor Sir COLIN CAMPBELL to
Lord STANLEY.

The Queen's House, Colombo,
November 4, 1842.

MY LORD,

IN my Despatch, No. 70, of the 9th May last, I reported the arrest of the parties implicated in the attempt to create a disturbance, about the beginning of this year, and as I had said enough to show that no ground for anxiety existed, I deferred making any further report till the final termination of the matter.

The Deputy Queen's Advocate, Mr. Temple, made very full and careful inquiry, and I have now the honour to transmit his reports, which were yesterday considered in the Executive Council, and a copy of the resolution which was unanimously adopted for the discharge of the prisoners.

The final disposal of this matter has been delayed (very much against my wishes) first by the illness of Mr. Temple and next by the session of the Supreme Court in Kandy, which prevented the prisoners being brought before the District Court for examination, a measure which appeared to me desirable for the reasons which I explained to the Council.

It is with much satisfaction that I am thus enabled to report the termination of an attempt to excite an insurrection, which, though in itself very insignificant, was the cause of no small alarm in the interior.

(Signed) I have, &c.,
COLIN CAMPBELL.

The Right Hon. Lord Stanley,
&c. &c. &c.

Enclosure 1 in No. 4.

Encl. 1 in No. 4.

Queen's Advocate's Office, Colombo,
July 5, 1842.

SIR,

IN compliance with the direction of his Excellency the Governor, I proceeded to Kandy to inquire into some treasonable practices said to prevail in that province, and to ascertain how far the fears entertained by a great portion of the inhabitants might be well grounded. Upon a full investigation of the case, and after having encountered the difficulty of eliciting truth, so peculiarly great in a country where, from the almost total want of moral principle, scarcely any witnesses can be entirely depended upon, and where those parts only of the evidence can be relied upon as truth, which the majority of the witnesses concur in testifying to, I have the honour to report, that it appears that during the early part of the present year a few persons have been going about the country holding nightly meetings in the jungle, at which one of their number, encircled by an enclosure of white cloth, was introduced as a new king, about to drive the English out of the country; while another, standing on the outside of the enclosure, acted as the medium of communication between the pretended king and the people. The latter, I have every reason to believe, congregated from curiosity, and not with any treasonable intentions. It is very difficult to ascertain with any degree of certainty what object these persons had in view, for although the evidence tends to show that they had solicited the assistance of the country people to aid in expelling the English from the country, in which it was said that the king had had it revealed to him in a dream that he should be successful, still the slender means which they had at command (even their temporary adherents scarcely ever exceeding 12 in number), the refusal of the most part of the people to take any interest in their proceedings, and the slight hints thrown out in the evidence that presents would be acceptable to the king, incline me to believe, that possibly they thought more of enriching themselves than of obtaining possession of the country.

I am happy to be enabled to state, that I have every reason to believe the chiefs are in no

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way implicated in the affair, and that in fact, if treason was the object of these persons, which is almost too ridiculous to believe, their attempt has been a most signal failure, and may almost be considered a subject of congratulation, as showing that the country is sufficiently satisfied with the present Government to forbid their heedlessly entering upon any chimerical attempt at change. The persons now in custody are the pretended king, his chief minister, and a person who appears to have been an active partizan and adherent of the king; there is also another person who is implicated, but who has not yet been apprehended, though a warrant has been issued against him. The nature of the evidence taken before me, will not, I think, substantiate a lower charge than that of high treason, which possibly his Excellency may consider too serious a charge for so insignificant an attempt. And considering also that the evidence privately taken before me not being upon oath, there is a possibility of there being a variance in it when taken in public Court, I recommend that before any ulterior steps are taken the case should be referred in the usual way to the District Court, by which means his Excellency will be the better enabled to judge what course it will be advisable to pursue, while the publicity there given to the affair will tend to tranquillize the public mind.

I have, &c.,

(Signed)

C. TEMPLE, Deputy Queen's Advocate.

The Hon. the Colonial Secretary.

Queen's Advocate's Office, Colombo,
July 28, 1842.

SIR,

I HAVE the honour to state, for the information of his Excellency the Governor, that upon carefully investigating the evidence taken by me in Kandy, relative to the treasonable practices said to prevail in the Kandian province, I find there is evidence to justify the putting of four persons upon their trial; three of whom only are yet in custody. The evidence taken by me induces me to conclude that the affair did not assume a serious aspect, but was in itself so weak and frivolous an attempt, and the result has been so signal a failure, that I was in hopes to have been enabled to have recommended the prisoners should have been put upon their trial for a lower offence than that of high treason. I regret, however, that in my opinion the nature of the evidence is such, that insignificant as the attempt has been, still it would only substantiate the charge of high treason.

Owing to my recent very serious illness, I was unable to attend to the case after my return from Kandy till the present time, and considering that in cases of high treason the prisoners ought to be furnished with a copy of the indictment 10 days before they are put upon their trial; it is impossible they should be tried at the ensuing Kandy sessions, which commence on the 3rd of August. The prisoners, not yet knowing what charge will be preferred against them, they would be unable in so short a time to prepare their defence and obtain their witnesses, many of whom would have in all probability to come from some distance. I think also that an examination should take place before the District Court, in order that the committal for trial might be made in the usual way; for it does not appear to me advisable for the Queen's Advocate in so trivial a matter to avail himself of the unusual and perhaps doubtful method of filing the information himself in the Supreme Court, without the intervention of the Lower Court, and making a special application for the prisoners to be brought up for trial.

The examinations before me having been taken privately and not upon oath, I fear, that it is by no means certain that when the witnesses come to be examined publicly in Court their evidence would coincide with the statements made to me.

I think, therefore, that having already gone to the District Court to commit the prisoners for further examination the usual course should be adopted of sending the matter for investigation before the District Court, where the open exposition of the evidence would tend to satisfy the public mind that Government had been justified in the measures it had taken, while the weakness and utter failure of the attempt being shown the fears of the native population would be tranquillized, and possibly the result of this examination might be to enable Government to show leniency towards the prisoners, either by leaving the case to be disposed of by the District Court, or by allowing them to be released on giving security for their good behaviour.

I have, &c.,

(Signed)

C. TEMPLE, Deputy Queen's Advocate.

The Hon. the Colonial Secretary.

The Deputy Queen's Advocate's Office,
Nuwera Ellia, Oct. 18, 1842.

SIR,

HAVING just received a communication through Mr. Gibson, expressing dissatisfaction at the course which has been pursued in the conducting of the case against Dugeneralle and others for treason before the North Court of Kandy. I have the honour to express my regret that the intention of his Excellency should not have been carried out. The instructions which I gave to Mr. Gibson, and which, if I remember correctly, were in compliance with those I received from Government, were, that he should bring the prisoners before the District Court; that he should examine such witnesses, as from a perusal of the evidence taken before me, he might consider best; that having examined sufficient evidence to justify the district judge in committing them for trial, and to show the public that Government had been warranted in the steps they had taken, they were then, if nothing more flagrant came out against them, to be released on giving security for their future good conduct. I think that the course

pursued had been right, considering that it was a case over which Mr. Staples had no power, further than to commit for trial, if he considered the evidence sufficient. It now remains for the Government either to bring them to trial, or to instruct the Queen's Advocate to release them upon whatever terms it may please to dictate; as far as regards the paucity of evidence, no more was, strictly speaking, necessary than what the district judge might consider necessary to justify a committal, and it appears that Mr. Gibson's reason for not adducing more evidence was, that had the proceedings continued longer, the affair, through the folly of one of the prisoners, must have been brought to trial. I have before had the honour to state that there is clear evidence to convict the prisoners of high treason; the attempt, however, was so insignificant, and the failure so complete, that I understood my instructions from Government to be, to avoid, if possible, bringing them to trial for so great a crime. It was, I believe, under these instructions, and with this impression, that Mr. Gibson acted, in not producing further evidence. I regret the length of time which has elapsed since these proceedings were commenced. My own illness delayed my report to Government, and since then the difficulties which attended Mr. Gibson's arrival in Kandy, followed by the sessions and the subsequent absence of Mr. Staples, have rendered it unavoidable.

I write in haste, as the Tappal does not allow me much time, and

The Hon. the Colonial Secretary.

I have, &c.,
(Signed) C. TEMPLE.

Enclosure 2 in No. 4.

Encl. 2 in No. 4.

EXTRACT from the MINUTES of the EXECUTIVE COUNCIL, held at the Council-room, at Colombo, on Thursday, the 3rd day of November, 1842.

THE Governor states to the Council that as the attempt to create disturbance appears to have been insignificant in the extreme, it does not appear to be desirable to attach to the prisoners such importance as they would derive from a trial for high treason; it is to be regretted that no grounds are considered to exist for bringing the parties to trial for any minor offence. The Government thought it right to bring the matter before the District Court, not only as a means of satisfying the public that sufficient reasons did exist for the measures which had been adopted, but also with a view to giving publicity to the facts of the case, in order that it might, at the same time, be known how little real ground of apprehension existed. The course adopted by one of the prisoners has to some extent frustrated the latter measure, but the Governor now thinks the best course to be adopted is to direct the Queen's Advocate to move the Supreme Court for the discharge of the prisoners.

The Queen's Advocate states that this is clearly his opinion; the Council concur.

No. 5.

No. 5.

EXTRACT of a DESPATCH from Governor Sir COLIN CAMPBELL to Lord STANLEY, dated Queen's House, Colombo, August 18, 1843.

(Private.)

"A FEW weeks ago, in consequence of unpleasant reports from the Kandian provinces that a pretender was going about exciting the people, and representing himself as a descendant of the late king of Kandy, and as he exacted obeisance, money, and provisions from the people for himself and a few followers, I gave directions to apprehend him, which was fortunately effected; he is now in custody waiting his trial. The Queen's Advocate informs me that he must be tried for high treason, and that he cannot be tried for a minor offence. I apprehend if he is tried for the higher offence that he will be acquitted. I consider it would be preferable to try him for the minor offence, as it would insure a conviction, and he then might be banished from the island, or employed as a convict on the roads. I must, however, leave the manner of trial to be determined by the Queen's Advocate.

"Reports at the same time were prevalent in the interior that a rising of the people was intended during the festival of the Parahora, and that it was their intention to attack Kandy. I did not credit the reports, but as the Government Agent and his assistants in the Kandian provinces gave full belief to them, and as they stated that the information which they received and transmitted was unquestionable, and represented their apprehensions of an insurrection breaking out so forcibly to Government, that I felt it incumbent upon me to take measures quietly to be prepared for what might occur, and went to Kandy for the apparent purpose of inspecting the troops, that I might be on the spot during the festival, and I am happy to say that it passed off with the greatest tranquillity, and I returned here on the 4th instant, being absent five days.

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"The Kandian population I have every reason to believe are well affected to the Government; a few of their head men, their priests, and their immediate dependants, are, I understand, dissatisfied, the former being deprived of the consequence and power which they exercised over the people, and the latter, their temples and religion deteriorating, as the attendance and offerings of the people are daily diminishing.

"I have thought it proper that your Lordship should be acquainted with what is herein stated, in case they should reach you exaggerated through any other channel."

No. 6.

EXTRACT of a DESPATCH from Governor Sir COLIN CAMPBELL to Lord STANLEY, dated Queen's House, Colombo, 20th October, 1843.

"My Despatch, No. 187, by the present mail, will inform your Lordship of the trial and conviction of the pretender who attempted to create disturbance in the Kandian provinces, and the acquittal of 12 of his followers, who were implicated and tried at the same time; several of the latter are headmen of the districts in which they reside, and I may find it necessary to remove some of them after due inquiry. The Kandian Provinces are perfectly tranquil at present, and I consider that the late trials will show the people that they have been grossly imposed upon by a fanatic and impostor, and that the Government are watchful, and possess the means of punishing the guilty."

No. 7.

(No. 187.)

No. 7.

COPY of a DESPATCH from Governor Sir COLIN CAMPBELL to Lord STANLEY.

The Queen's House, Colombo,
October 21, 1843.

MY LORD,

I HAVE the honour to report to your Lordship that rumours of the existence of a plot against the Government began to be prevalent about April this year.

They were not at any time such as in my judgment to give any serious ground of apprehension, although the Government Agent and some others viewed the matter in a much more serious light.

In July I received reports of seditious meetings in the part of the country lying between Kandy and Badulla, in consequence of which I directed Major Rogers, Assistant Agent and Commandant of Badulla, to proceed to the spot for the purpose of making inquiry; the result of which was the apprehension of a considerable number of persons in the vicinity of Nuwera Ellia, and of these it was thought right by the Queen's Advocate to bring 12 to trial on a charge of treason. One person named Chandrogotty Selewanse Sareinkere Unnanse, the same who was arrested last year on a similar charge, was convicted, and the rest acquitted.

I enclose the judge's notes which were transmitted to me, from which it will be perceived that the attempt to create disturbance was extremely contemptible, nevertheless as such conspiracies, if they deserve the name, are calculated to create alarm and distrust, and as the person now convicted caused very considerable alarm last year, I have thought it right to commute the capital sentence for imprisonment at hard labour for 14 years; the example, I trust, will have a good effect.

The Right Hon. Lord Stanley,
&c. &c. &c.

I have, &c.,
(Signed) COLIN CAMPBELL.

Enclosure in No. 7.

Badulla, Wednesday, September 6, 1843.

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Encl. in No. 7.

Samuel Hollowell, Secretary of the District Court of Nuwera Ellia, examined.

I was present at the preliminary investigation of this case and various articles were then produced. I got a packet now produced from the Deputy Queen's Advocate and a chatty, and a bundle of four swords, and another packet and a bundle of pikes with handles, and another bundle without handles, and two arrows and a bow, and a bundle of three swords and a gun, and a cap and fan. I got them all from the Deputy Queen's Advocate the day of examination in the Court House immediately after the examination. The articles have been kept in my house since, and are now in the state in which I first received them.

By Mr. Wilmot.—I got the articles from the Deputy Queen's Advocate, he handed them over to me five minutes after the examination. They have been under lock and key ever since I got them, and the key has always been in my possession.

By the Court.—The 1st prisoner was present when I got the articles, Appoohamy Korale. I know the 1st prisoner and got a warrant for his apprehension, on which I apprehended him in Doombura. I also apprehended the 10th prisoner under the same warrant, and others who are not here. The names of these are Menikralle, Menikralle and Davia. The 10th prisoner had a fan, cloth, and cap. I took the two prisoners to Kandy, having previously left them sometimes at a place on the way. I had known the 1st prisoner before and had seen him in February, which was the last time I saw him before this occasion. I saw him at a rivulet near my village. I went to him, having been sent for by him. There was another person present. I asked him why I was sent for? and the 1st prisoner said, "You must lend me aid to create a rebellion in the country and raise men." The 1st prisoner was then in robes, and on my objecting he said, "I have a prince and I will fetch him." This was all the conversation at that time. Two or three days after he came into my village with a person who he said was a prince. I had not known that person previously. The 1st prisoner, the prince (who was a Malabar), and another, came to Dunganaralle's house while I was there. I gave them some cocoa nut, water, and other food, and chairs to sit on, and afterwards I made out a report to the Government Agent. On the same occasion the Malabar man having gone away I asked where he was? and the 1st prisoner said, "I understand you are writing a report for the Cutcherry, so I have sent him away let whatever will happen to myself." I said it was false, and that I had not written any such thing, adding, "I am not so perfidious." But by this time I had written and despatched my report. I afterwards went away leaving the 1st prisoner at Dunganaralle's house, and did not see him again till on the present affair.

By Mr. Wilmot.—Then you told a lie? No, I did not. I said what I did in order to get hold of the 1st prisoner. I do not consider it a lie. I have been in office since the time of the Singhalese Government. I have discharged my duty according to my office. The 1st prisoner did not go away when the above conversation was had, he remained and went next morning. I got an answer from the Cutcherry not to apprehend the 1st prisoner.

By Court.—There was an interval of three or four days between my first and second seeing the prisoner in Felmary.

By Jury.—There was an interval of about three months between that and his apprehension. There were Simon, Punchryalle, and other two persons present when the 1st prisoner spoke to me at the rivulet. I had seen him in 1832. I knew him from that time, but did not see him again till at the rivulet, as already mentioned.

Gomedele Hali Vidahn.—I know the Korale who has been examined, and saw him at my house, after the Singhalese new year. I got some weapons from the king. I cannot recognise him here. I saw him in the District Court. The 1st prisoner is the person I mean by the "king." He gave me the weapons at my village at my house on the occasion referred to. I could identify the weapons. These are the weapons. I gave them to the korale. I do not recollect when I did so. There were some persons with the 1st prisoner when at my house, and an aratchy (Loko Aratchy), and another came. The 4th prisoner is Loko Aratchy. There was a conversation between them at my house on this occasion. The 4th prisoner said "all the people in the dissavony are agreed to this except Andrewewe Korale." He said so to the 1st prisoner, and I understood he referred to the rebellion. The 1st prisoner had said when he gave me the weapons that they were to wage war with. They were concealed in my house against my will. I am a low caste man and not able to make war. The weapons were brought to me for safe keeping, and I kept them till I gave them up to the Korale, the last witness examined.

By Mr. Wilmot.—I am a low caste man, and was bed-ridden at the time when the 1st prisoner came to my house. There was no one in the house with the 1st prisoner and myself on the occasion referred to; people used to come to my house as it is by the way side. The weapons were concealed in the jungle; when they were placed there I was well, but afterwards I got sick. You said the weapons were forced upon you against your inclination? was well at that time. I did not say I was sick at the time or bed-ridden. I said the things were given me when I was well. When they agreed to go on the rebellion I was sick. I said so before. I have no account of the number of weapons I got. The 1st prisoner was attended by two persons who carried the weapons. I gave the Korale a chembo and a uny, and would have given anything through fear. I do not know whether the 1st prisoner was Kapoowa or not. I took him for the "king."

By the Court.—I do not know the names of the weapons. I do not know how long I had the weapons. I gave them to the Korale from the jungle. I took them to the jungle

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when I was well. The 1st prisoner was not then with me, but Menikralle was when I put them into the jungle. They were not left at my house. They were never in my house at all. I was at home in my village when I got them, and I took them to the jungle, about 20 fathoms off.

By Jury.—Between the 1st prisoner's first and second visits to my house there was an interval of time, but I do not know how long. It was less than a week. It was at the second visit that he gave me the weapons, nobody came with him the first time; he came to me at night, wet with rain. He said he was king. He said so on the first occasion and was then in a lay dress. He stopped two days the first time, and on the second occasion the conversation took place between the 1st and 4th prisoners. Nobody was present at the conversation but the two prisoners. He was called king by all the village. The weapons were hidden on the ground under the jungle.

Dumbekerra Daveya.—My village is in Wallepene. My father's name is Garoowa. I know the 1st prisoner; he is the king. I saw him first at my father's house, a long time ago, after last Singhalese new year; he came with three or four others whom I do not know; I could not identify them. He brought gunpowder to my father's house, and, after an interval of time, some bullets. On the first occasion he remained in my father's house one night, and then went away. He came again about six days after, with other people, among whom was 12th prisoner. They staid on this occasion a day, I think, and then went away. About three days after he came again, with the 12th prisoner and others, the same who came on the second occasion. This time he staid four or five days. Some gunpowder was made at my father's house on the occasion of his first visit to my father's house, which the 1st prisoner carried away when he proceeded beyond the river into Doombera. He left some of the gunpowder in a chatty, which was carried to the jungle, and afterwards brought back to the house. When the 1st prisoner staid at my father's house, the 6th prisoner came with another, who I believe is present, but I cannot identify. The 6th prisoner presented that person to the king. A large host of men came. When the homage was paid, he was at the threshing-floor. The king (I mean the 1st prisoner) said, "Form yourselves into a circle round me, that the men may pay me homage." The 12th prisoner was standing with swords. The 1st prisoner said, "A large host is coming, do you stand there," to the 12th prisoner. The 1st prisoner was sitting arrayed in plenty of apparel; he was seated on a log on the threshing-floor. The homage was, falling on their knees, and folding the hands together. The Ratterale did so first, then other persons afterwards. That evening the 1st prisoner and others remained in the jungle. They did not return to my father's house after the homage, but went to the jungle, and the following day I saw the 1st prisoner, having gone there with persons who carried food to him and his people. I remained till they partook of their meal. I saw the 1st prisoner again, at my father's house, about six days after, and on the following day I went with him and others. We halted at a river. There was with the 1st prisoner on this occasion the 12th prisoner and the 10th prisoner, which last the 1st prisoner called by the name of "Banda." The 12th prisoner left us on the way, before we reached the river, and myself and the others were afterwards apprehended by the Korale. I had then in my possession a gun belonging to 1st prisoner. I got it from him. The Korale took it from me. This is the gun. I carried nothing but the gun.

By Mr. Wilmot.—I was compelled to carry the gun. I do not know what 1st prisoner was king of; he was just called "king." There were about 100 persons present at the homage giving. The 12th prisoner held two swords, one in each hand, and so stood before the 1st prisoner. The 1st prisoner used to put on an awful look, otherwise how could he have got people to him? The 1st prisoner said, "How can I unite the country, if you and others refuse to go?" This the 1st prisoner said when he compelled me to go with the gun. There were a great many dogs and boys attending. The log the 1st prisoner sat on was an old log; it had a white cloth on it, and so sat the 1st prisoner on it. The 10th prisoner was always with the king (I mean the 1st prisoner) on great occasions; he was not present on this occasion. Lampe Menikralle was not at the threshing-floor; I am certain of that; but the other Menikralle was present.

By Jury.—There were particular persons present, a Ratterale and others. Among those present at the homage were Punchy and others, who are here as witnesses.

[Adjourned.]

Thursday, 7th September.

Dambeherra Garoowa.—I live at Arookwatte, and know the 1st prisoner. I first saw him at my house about two or three months ago. He came with several others, among whom were 4th and 11th prisoners. They came with gunpowder. They staid one day. The next day the king (I mean the 1st prisoner) and the people went away, giving the gunpowder into my charge. It was in a chatty. I declined to take the powder, but they said, "All the people know this, except Andrewewe Korale, so do not be afraid." It was the 1st prisoner who said this to me. I afterwards concealed the powder under ground, with some bullets, which I also got from the 1st prisoner in a bag, on the same occasion, in the Madoowa. Four or five days after the 1st prisoner came back with several persons, among whom was the 12th prisoner, and remained five or six days. They brought a measure of saltpetre, and made gunpowder, which they took away with them. I went with them to Panella to the rebellion. While they remained in my house several persons came to see the 1st prisoner; about 300 at different times; among these was the 6th prisoner. It was at the threshing-floor they met the 1st prisoner, because he was there, having gone thither to receive the people, the distance of a

loud cry from my house. When the 6th prisoner came to see the 1st prisoner, I was present, and on that occasion something was said which I could not hear. The people paid him homage there—salutation with folded hands on the knees. The 6th prisoner and others who came there paid this homage to the 1st prisoner, who was at this time sitting on a log, covered with a piece of cloth. He was as at present, except that he was covered with a red cloth. I went to Panella on the day of the rebellion, by which I mean a mob collected to proceed to Nuwera Ellia. The mob was collected by the 12th prisoner—the Aratchies of the different divisions. As I went to Panella the mob went with me. The mob collected on our way to Panella. When I left home there were not many persons. The 10th prisoner I call Banda; the 1st prisoner called him so; I do not know his real name. I took with me when I left home a painted stick, which was given to me by the 1st prisoner. It was a pike I took with me; and some gunpowder was carried by some of the rest, also bullets; the bullets and gunpowder which I mentioned before. We all proceeded to Panella, and before we got there about 300 joined us. When we got there we were put under arrest, as it was at Bagatorre. We were put in an enclosure, and confined there till people could be collected. We were desired to go in there by the 1st prisoner, and accordingly we went. Afterwards an Aratchy came with 100 men, but he declined to proceed, so the party broke up, and thereupon I returned with the gunpowder and bullets, which I kept. Afterwards, I found Major Rogers investigating into the affair, and on that occasion I was examined by him. I afterwards escaped, and concealed myself. I was advised not to keep the gunpowder, but to throw it into the river, but I concealed it. It was the 5th prisoner who so advised me. I concealed the gunpowder and bullets in the jungle, where I also remained myself for about two months, when a proclamation was made, appointing Andrewewe Korale over the district. I then delivered up to him the gunpowder and bullets. The chatty was about three months in my possession; it was covered by a deer-skin at the top, and tied up in a cloth. It was a short pitcher, broken in the brim. Witness says this is it—this is not it—yes, this is the bundle. I also delivered up the bullets along with the gunpowder to the Korale. I should know the bag of bullets again; it was a bag made of pine leaves; I saw it produced in the District Court.

By Mr. Wilmot.—I was two months in the jungle living on fruits and yams, which I collected there. I lived one month so, and then proceeded on to some friends, where I got some Natcheria flour; but being afraid I returned with the flour to the jungle again. The chatty and bullets were all this while at Arookwatte. I was afraid of being caught. The 1st prisoner and his party were apprehended, and I was afraid, but I received a paper writing to come out with the gunpowder. My boy, the last witness, brought me the paper, and when I came out I found that Andrewewe Korale had been appointed over the district. The 4th prisoner was the first person who came to the 1st prisoner at my house. His first visit to my house was when the gunpowder was brought; he said, "Have no hesitation, but take this powder, every one knows this but Andrewewe Korale." Three persons came in company with the 1st prisoner when he came to my house. I do not know who brought the gunpowder; we afterwards went to the threshing floor, about five days after I got the gunpowder. My boy, myself, and two persons besides children were in the house with me; we did nothing during the five days but remain at home; we were engaged in field-work during that time; no other work have we poor people; we employed ourselves in the field. The two persons and myself live in one house, having erected separate huts. One of the two persons I mentioned is Kaloowa, my brother-in-law. They do not assist me in the field, nor do I assist them in the cultivation of their field. The men who accompanied the 1st prisoner made the gunpowder from pounded saltpetre, sulphur, and charcoal. The charcoal was brought in the morning after the 1st prisoner's arrival at my house, and the gunpowder was then made. When the articles were pounded two persons were present. The powder was being pounded when my son came; he assisted in pounding the saltpetre, sulphur, and charcoal; he came while these articles were being pounded; he pounded; he assisted in pounding. I was at the threshing floor; my son was then in a field very far from where the 1st prisoner was at the threshing floor. He was at the threshing floor; he was present the whole time of the homage and prostration; he also made homage and prostration to the 1st prisoner several times; he prostrated but once at a time; he did so every time he came into the 1st prisoner's presence. The 6th prisoner was at the threshing floor and the 11th prisoner; and when the multitude went away, the 6th prisoner remained with the 1st prisoner in the jungle; the 11th prisoner did not remain during the night, he went away an hour before night-fall, leaving the 1st and 6th prisoners. The 1st prisoner had the cloth in his hand, which was put on the bag; his attendants had the cloth; one of his attendants had it; he had it about his shoulders; no, he had it in his hands, it was folded. The log was old and dirty, which was dry and rubbed off by the attendants. The mat was then placed on the log, and the cloth above it. One man (the 12th prisoner) stood on the one hand, and another man on the other hand of the 1st prisoner during the homage. I am sure of that. These were the only persons of the prisoners who were at the threshing floor. I went to my house after leaving the threshing floor. The two persons who lived with me were at the threshing floor, but they returned home before me; it was a month or two after this at the threshing floor that I went to the jungle. I escaped to the jungle from the custody of persons who had me and others in charge at that time. There was one peon in the house with me and four outside; and when the peons fell asleep, the 12th prisoner who was in the room with me advised me to conceal the gunpowder. All the persons fell asleep at one time, 10 hours after night-fall; they were lying down. I heard the peons outside snoring; the door was closed but not locked. I effected my escape at this time, because I was advised to conceal the gunpowder. The other persons did not effect their escape with me. The door opened inside; the passage was clear, the peons lying on each side of the door. The gun-

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powder was concealed in the madoowa of my house. I went into the madoowa that night and dug up the gunpowder, knee deep, and took it away. I dug it up with a sharp stick; no one was then present; the madoowa is four miles off. I went there and got the gunpowder, and same night went with it into the jungle. The 1st prisoner entered my house first, the aratchies next, and the people after that. The first words of the 1st prisoner to me were those which I have stated. The aratchies said so first of all; the 12th prisoner said so first, and when I declined the first prisoner said, "Do not be afraid, take and keep it." Kaloowa was present at this time. The 12th prisoner and another said, "This is a solitary house, keep the powder; we cannot carry it with us." The 12th prisoner was the first person after the 1st prisoner that came into my house; he came with the 1st prisoner, but entered my house before the 1st prisoner. The 12th prisoner was the first person who entered my house, and next the 1st prisoner, then the other aratchy. I spread a cloth for the 1st prisoner, he set on upon a board on the floor; the board was a door.

By Court.—The boy brought me the written paper in the jungle. I had not seen him during the 2½ months I was in the jungle. I had not told my boy that I was going to the jungle, nor the persons who lived with me. When I went to the madoowa for the gunpowder I saw my wife, no one else; she was in the kitchen sleeping at the time; my boy was then with 1st prisoner. I took my wife into the jungle with me, where she remained a fortnight, when I sent her to her people very far off. I left her five days with her people, and then she returned with me to the jungle, and was with me when my boy brought the paper. I was not at my house at any time during the two months I was in the jungle. I was back to my house at the end of 15 days, leaving my wife in the jungle. I found my house down. I did not see my boy at this time, nor the persons who lived with me. My boy did not bring me any paper in the jungle; he heard of the proclamation, and when I came out I was told by my boy. I heard of the proclamation when I was in the jungle and came out. I found my boy accompanying the Korale with the proclamation when I came out; my wife heard the proclamation also; she is not here to-day.

By Jury.—The men went with pikes and other arms. I also saw guns. Each man had his pike; I saw this. The distribution took place at Pupilakany, the 1st prisoner distributed them.

Arookwatte Kaloowa.—I live at Arookwatte and know the first prisoner; he is the "king." I saw him first at Arookwatte at the house of a Vidahn there; the 10th and 12th prisoners were present. I went for a cocoa-nut and saw them; they were fixing blades on sticks to make pikes; the attendants were doing this. The 1st prisoner was seated in the same place where this was going on. I had not seen the 1st prisoner before, but I was told he was "king." I was desired to pay homage to him, which I did; the 10th and 12th prisoners so desired me. I never did the like before, nor see any person do it. The 10th and 12th prisoners said, "Kneel down and pay homage," nothing more. They did not show me the act of homage. I immediately knelt down and paid homage, I next saw the 1st prisoner at the house of the last witness the day following; my house is separated from his by a field. I saw the 1st prisoner afterwards, he was about five days in the house of the last witness; multitudes came there to see the 1st prisoner; among others the 6th prisoner and the 4th prisoner. This was not at Garoowa's house. The 4th prisoner did not come the same day the 6th prisoner paid homage, I mean at the threshing floor. I saw the 6th prisoner pay homage in the same way as I had done; others did the like. The 1st prisoner distributed swords to the men at Pallagam on a Monday to keep off the crowd from him; when the 1st prisoner was at Garroowa's house I saw powder pounded. I did not assist in pounding. The powder was dried and put into three bottles, and concealed at Garoowa's house; some of the powder was put into a chatty and concealed there also; buried in the house; in the centre of the room where stood a sand-table. There were also bullets concealed under the loft. The 1st prisoner said, "I am collecting these arms and ammunition for the purpose of driving away the present ruler, and taking the country." He said this to us all; also, "Don't you be afraid of this, the chiefs and the aratchies and all the people are agreed to this." He said so at Garoowa's house; no, he said nothing at Garoowa's house. He said this at the threshing floor which is attached to my field, about three fathoms from Garoowa's house; it is my threshing floor, but it is used by Garoowa. I went with the people to Panella, to go to Newera Ellia to wage war against the Government. Newera Ellia is the place we were to go to in order to wage war against the Government. The 1st prisoner had a sword; I carried a pike. The 1st prisoner gave it to me at Arookwatte; the aratchies came to the place where the 1st prisoner was, at Panella, but they refused to go, making various excuses; some of the people too effected their escape from Panella. I did so and returned to my village, having laid down my pike before I went off. I afterwards saw Major Rogers at Walepenny, and I was arrested there and taken to Kandy gaol. I was confined; the day of my examination before Major Rogers I was confined with the 12th prisoner and others, and afterwards taken to Kandy. Garoowa effected his escape during the night after our examination. I did not know this till I was informed by inquiries after him. There were about 20 persons taken to Kandy gaol.

By Mr. Wilmot.—Garoowa is my wife's uncle. I had two children there, and I went to see them when I saw the 1st prisoner. There is a field between my house and Garoowa's of two ammonams' extent, and I had to pass through it to get to Garoowa's. No one came the day I went to the house. On the day the 1st prisoner came he came alone, in the morning, about three hours after daylight. The 1st prisoner said, "I am putting you to great expense and remain with you to take the country, which, when I do, I will bestow favours on you. He said so to Garoowa; I was then in the same room with the 1st prisoner and Garoowa. This was the first time the 1st prisoner came to Garoowa's house; there was nobody present

at this time but Menikralle and Garoowa, and myself. "I shall give you part of a royal village;" this also the 1st prisoner said to Garoowa; he said nothing else. The 1st prisoner took his rice and curry, and I joined in entirely with him; we did not sit down together; we eat separately. The 1st prisoner afterwards went away; he stopped till mid-day, and then went away. The 1st prisoner came again to Garoowa's house, and thence he proceeded to Panella. I was at my house when he came to Garoowa's house on that occasion, and I did not go there at this time to see him. I heard he had been to Garoowa's for some time. I have seen him several times; I saw him at Garoowa's house; I went there and saw him. I make mistakes; fright and other things make me afraid. I forgot that I did go to Garoowa's to see the 1st prisoner. The men of the country came there to see him on the second occasion that I saw the 1st prisoner at Garoowa's house; powder was made there: I went there as soon as it was light, because the 1st prisoner was there, as I was informed. The 1st, the 10th, and the 12th prisoners were at Garoowa's house at the pounding of the powder; I did not see the 4th and 5th prisoners at the place where the powder was pounded. Nothing took place the third time I saw the 1st prisoner at Garoowa's house; and the fourth time was when he proceeded to Nuwera Ellia.

By Jury.—The homage at the threshing place began about midnight, and ended a little before night-fall; and that night the 1st prisoner and others passed in the jungle.

Pallegama Gang Etteralle.—I live at Arookwatte. I have seen the 1st prisoner at Garoowa's house. I went to desire Garoowa to reap corn in May last, and saw him there; no one else but Garoowa was present. The next time I saw him was at my house; I did not see any one come to visit him at my house; I do not know where he went when he left my house. I was at Panella about 15 days after the 1st prisoner was at my house; I went through fear, because men to join in the rebellion; about 10 persons went from the village; they were collected by several persons. Bullets were forced into my hands; Garoowa forced them into my hands at Garoowa's house; nobody was then present but Garoowa; I was taken by force to Garoowa's house by the jaggery man: he put the bullets on my shoulder. I went to Panella: 10 persons were with me; they were men of our village; I do not know who they were. On the day I was taken to Panella the king came to our village. By the king, I mean the 1st prisoner. He went to Panella the same night; he went with us to Panella; there was about 50 persons at Panella when I was there. We did nothing at Panella; we declined, and came back; we were afraid, and said we would not join in a rebellious troop, and one by one we deserted. The arms belonging to the Temple were fixed upon poles and carried. The 10th prisoner remained with the 1st prisoner. We were laid hold of and collected together by force; the persons attending the 1st prisoner had swords.

By Mr. Wilmot.—I know Andrewewe Korale. He spoke to me; he brought me to Nuwera Ellia, and what he spoke he said there. I never heard the Korale threaten that the Rhodias would the village.

By the Court.—I brought back the bullets to Garoowa's house, and gave them to him. We said to the 1st prisoner we would not join in a rebellious troop; he said nothing, but went away. I knew by the weight it was bullets in the bag placed on my shoulder.

By Jury.—No one but Garoowa was present when he gave me the bag of bullets in charge.

Pahaville Keeralle.—I live at Passela Kanda, about a mile from Arookwatte. I know the 1st prisoner; he is the king; I saw him at the threshing-floor. Panella is 12 miles from my house; I was there some time ago with a company of rebels, while I was pressed; the king pressed me at Tassila Kanda; there were about 200 persons present. I carried a piece of stick, nothing else; it was a white long stick, with a weapon blade fixed to the top. Others carried the same kind of weapons. The 1st prisoner called the people to go and make war against the Government. When we came to Sanella we did not make war. I do not know why. All the people halted, and were put in confinement in a house at Sanella. I gave Punchy gunpowder, which I had got from the 1st prisoner; he forced me to take it; he had a weapon in his hand—a weapon which had a painted handle and a brass blade. The powder was in a chatty, and the chatty in a red cloth. I knew it was a chatty by the feel. I deserted because all the others deserted. I gave the powder to Punchy before I deserted. There were many people with the 1st prisoner; the 10th and 12th prisoners were with the 1st prisoner, attending him.

By Mr. Wilmot.—The 1st prisoner forced me to carry the chatty, which was wrapped up in cloth; I never opened the cloth, and it was dark when I got it; I cannot say what the chatty contained. It was the 10th and 12th prisoners who forced me to take the chatty. There were three persons and myself, and we were forced to go to Panella by the 10th and 12th prisoners. We were forced against our inclination; we were three miles from Panella when we were forced.

Mootemale Punchy.—I live at Arookwatte, and know the 1st prisoner; he is the king. I went to Panella some time ago; many others went also; about 100 men with the 1st prisoner. I saw Keerale there. The 1st prisoner gave me gunpowder to carry at Panella; the 1st prisoner said it was gunpowder; I delivered it to Garoowa; it was in a chatty. The men that went to Panella carried weapons which belonged to the Dewales. We went to Panella to the rebellion; the 1st prisoner pressed me; he ordered me to go. He said, "Come along;" and I went. Why can I alone make an exception? The 1st prisoner said, "Proceed to the rebellion." When we got to Panella nothing was done; we returned to our villages.

By Mr. Wilmot.—The chatty had nothing on it; there was a rag tied over the mouth of the chatty, and I gave it to Garoowa in that state; I never looked into it; I did not examine what it contained.

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By the Jury.—It was said to contain gunpowder; the 1st prisoner said so.

Koombalgamoa Aratchy.—Koombalgamoa is two miles from Panella, and the latter is twelve miles from Nuwera Ellia. I know the 1st prisoner; I saw him at Panella in June last, the night previous to Major Rogers being at Walpenny, about eight o'clock. I was at Koombalgamoa, and a man came and called me; this was the 10th prisoner. He said, "Come along." He was with several others. I went accordingly, after he had threatened me. "If you don't come," he said "come along, or I will shoot you or bind you." We went to Panella, and there I saw the 1st prisoner sitting on a stone with a white cloth upon it. There was a multitude of people with him. He said, "I wish to know if you are faithful; and if you are faithful, give me men, and you will get a high office." I said, "I could not; I hold office under Government." We were afraid. I did not know what his object was in asking for men, and for men to go to Nuwera Ellia. He said, "Give me the men to proceed to Nuwera Ellia." He said it was to go to Nuwera Ellia for war. I refused to give him men. He asked, "Why would you not agree?" and I said I had a family to provide for, and was afraid of the Government. He then said, "Will you then be king?" On which I got afraid, and went away. I saw weapons—Dewale weapons—offerings made to the temples; they are weapons made for such offerings to the temples.

By Mr. Wilmot.—The whole multitude ran. I heard the people say, "The Aratchies are gone; they will take us." On which the whole multitude ran off. I was not subpoenaed as a witness, and last night I told him so; I went voluntarily to him and said so. I was once in gaol for about six months. My wife is dead. I was charged with murder—the murder of my wife, and was imprisoned for six months on that. In June I was appointed Aratchy on the recommendation of Adrewewe Korale and the Dissave.

By Mr. Selby.—I was tried and found "Not guilty" of the charge of murder. I was examined by Major Rogers on the day after the affair at Panella. It was in June I went to Panella, and I was appointed an Aratchy in June last year; I was an Aratchy when the affair at Panella was.

[Adjourned.]

Friday, 8th September.

Megedere Vidahn.—I live at Pussila Kanda. I know the 1st prisoner; he is the king. I have seen him three or four times. He came to our house and took meals there. This was the first time I saw him. The last time was at the Vidahn at Pallagarna, and at the house of Garoowa. I recollect a disturbance at Panella last year. A mob came from the direction of Arookwaite and laid hold of me and my father, 10 hours after daylight. The 10th and 12th prisoners, and others, came to our house at that time, and seized us, my father and myself, and took us to join the mob. They took us to the rivulet, where there were about 60 persons assembled, among whom was the 1st prisoner. The people had sharp bladed instruments, guns, swords, and other things. From thence we were taken to Pallegamme, and thence to the house of the 11th prisoner, where we halted: numbers had joined us in the way. At the house of the 11th prisoner arms were distributed to the men, and the 11th prisoner said, "These are all the men under the Aratchyship, except four who are not here." He further said, "I shall send up the four, and your majesty may proceed to Panella." This he said to the 1st prisoner, and we all proceeded to Panella. I carried nothing, but I had two guns which were given to other men. These two guns were taken from my house. When we arrived at Panella, there were about 60 persons about the 1st prisoner, and about 10 or 15 persons were pressed on the way. When we were at Panella, we were put into an enclosure, and the 10th prisoner went off with others, but returned in a short time with Koombalgamoa Aratchy, and about 30 men from that part. Two other Aratchies also came to that place. The king at this time, I mean the 1st prisoner, was seated, and he told us to stand round his person. We formed ourselves into a circle, and the Koombalgamoa Aratchy and the 30 men paid the 1st prisoner homage. The 1st prisoner said, "Are these all your men?" and the Aratchy answered, "There were more in the village." The 1st prisoner then said, "Can you give me these men to proceed to Nuwera Ellia?" The Aratchy then said, "I am a servant of Government, and cannot collect men for you. I shall go and inform the Court to-morrow morning." The Aratchy and another Aratchy, on this, set off, and when they were away, the 1st prisoner struck and kicked the other Aratchy. The 30 men deserted along with Koombalgamoa Aratchy, and when we saw the beating I and others ran away. I took the guns with me. The arms were all put down at Panella, and it was on this occasion I took up my guns. The 1st prisoner said that the object of my going to Nuwera Ellia was to make war. He said so to us all at Panella, about the time the Aratchies refused to join.

By Mr. Wilmot.—I live a mile from Arookwaite. I know the Korale there. I recollect of his interfering about a bullock; my father went and informed him, and the Korale said, "You had better go to law and sue for your damage." The 11th prisoner was referred to, and he reported against us; on which we appealed to the Koralle, not being satisfied with his decision, and the Koralle desired us to go to law on the subject. I hold an interim or acting appointment for the prisoners under the Koralle. I don't care about being appointed permanently, but I would not refuse the appointment. I was pressed into the service about 10 hours after daylight. I was then sitting at home doing nothing, having just returned from field-work. The 10th and 12th prisoners, and others, came to me at this time. I did not then know the 10th and 12th prisoners, but some of the others. The 10th and 12th prisoners spoke to me, and said, "We shall cut you down if you don't come," and aimed a blow at my breast. "You went and gave notice to Andrewewe Koralle, for which we will cut you or hang you to-day."

The prisoners said this to me and to my father, who was also in the house at the time, and thereupon both of us were forced to join and follow them. My father gave information to Andrewewe Koralle; I sent my father to do so. And to the 10th and 12th prisoners I said, "for my folly you may do as you please." Did the 10th and 12th prisoners take you away after this?—They did. We got to Panella three hours before dark. The distance is three miles from my house. It was 10 hours after daylight when we started; I think it was before meridian, the sun had not come to the meridian. We halted at Palagame a long time, and at Garrowa's house we halted also, and there was a shower of rain which detained us too. We at length arrived at Panella. I had got nothing to eat that day. I did not ask anything, but in the enclosure at Panella I got some rice from Garrowa. The most disobedient were put in the enclosure. My father, Punchyralle Vidahu, was some time in the enclosure, but he went and warmed himself in the Pansela; so did others, but I did not. I and some others were guarded, and could not get to the fire.

By Court.—The distance between Arookwatte and Panella was about four miles. I took one gun, and my father took the other. We were told to take our arms at Panella, and we did so. I did not know who carried our guns; I think my father carried one to Panella, and Punchy carried the other. I know my guns; they were posted up at the enclosure at Panella.

By Jury.—When we went off at Panella, it was immediately after Koombalgamao Aratchy went. The cock crew when we reached home. There was a small place like a preaching hall where the 1st prisoner eat his meals at Panella. When word was sent to Andrewewe Koralle, it was many days before I was forced as already stated. It was in the month of May I sent word, after I saw the pretended king. On that occasion the king said he was going through the villages; he did not say for what, but it was to create a rebellion, and I sent word then. He asked me to join. He said that all the head men of the seven countries were agreed, and asked us to join, and I said, "If so, I would join; what am I?" was my answer.

Panella Aratchy.—I was at Panella in June last. I did not go, but I was led there by men from the mob. The 12th prisoner led me by the hand to join. They took us to Panella, where I saw a large mob with the king, I mean the 1st prisoner. The 1st prisoner said, "All the provinces are agreed to this; give me to-day the men and fire-arms, that I may proceed to other villages." I said, "I can do no such thing; I am in the employ of Government. If the order emanated from Government, I could collect men, but not in this way; and now that I am before you, you may bind me or do as you like." I declined; it was a thing against Government. A rebellion was mentioned, and an expedition to Nuwera Ellia. He said so to me. I said, "Though you should kill me, or bind me, that thing shall never be done by me." I was appointed Aratchy in May last. The 1st prisoner said, "It is not right in you to refuse, so I will send to Koombalgamao for the Aratchy and his men;" and two or three hours afterwards Koombalgamao Aratchy and his men arrived. When they arrived, he said to me, "Now why can't you go?" On which I and Koombalgamao Aratchy consulted, and then both of us said we could not join. We then went aside, and the Koombalgamao Aratchy and myself went off. I had brought my neighbours with me from my district. At Panella there were about 50 people assembled. I saw there the 10th prisoner. When we got to Panella it was about five hours after nightfall.

By Mr. Wilmot.—It was the 12th prisoner who dragged me by the arm. He laid hold of me by the arm, and took me away. Had I understood what their object was at that time I would not have gone. He said, "There is a king arrived, and you must go and see him." I got frightened at this; I had never heard of such a thing before. Nobody came with me to Panella, no Aratchy I mean, and when I got there, the only Aratchy present was Banketty Aratchy, and it was with him I consulted when we declined. I spoke to Koombalgamao Aratchy, and said, this is a thing we can't do, let us leave the place; and so we did.

By Court.—When I said this to Koombalgamao Aratchy, all his men were present. Before the arrival of Koombalgamao, I consulted with Banketty Aratchy to the same effect. The 12th prisoner had a sword when he came to my house. He came five hours after dark to my house, and it was then I went with him. My house is near Panella, and we got there immediately almost.

By Jury.—Passila Kandy is two miles from my village. I had not previously known that the 1st prisoner was walking about the villages, or known of him till I was told that day. There is a preaching hall at Panella, where was a multitude assembled with the king, or 1st prisoner, sitting on a stone which was covered with a handkerchief. The king was by himself on the stone. "Why did you not apprehend him and his followers?"—I was afraid, as they were armed. There were people from my district. I do not know how many; about eight, I believe. I and Koombalgamao Aratchy separated at a field near Panella, on our respectively going homewards, about eight hours after nightfall.

Banketty Aratchy.—I am not now in office, but was formerly Aratchy. I was at Panella in June last, and saw there some men, amongst others the 1st, 10th, and 12th prisoners. I was pressed to go there. I saw the Koombalgamao Aratchy and Panella Aratchy. There was rice eating at Panella. There were about 20 or 25 persons assembled; all amounted to 20 or 25 persons. From Koombalgamao 10 or 15 came, from Panella 6 or 7; and from Arookwatte I cannot say how many, as it was night; I had no opportunity of counting them. All the men were in one crowd in the preaching hall at Panella, a large assembly; there were more than 30 altogether, 37 or more. I cannot say whether there were more than 100 persons; some ran away into the jungle on account of the noise, and I was afraid myself; I was afraid. There was no law on the spot; from whom, then, could we get satisfaction, if we had attempted to seize the king and his men? The 10th and 12th prisoners scolded us. I said, "For what

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purpose do you want men? The Agent and Dessave are at Nuwera Ellia." I said this: "For what purpose do you collect men? The Korale, the Agent, and the Dessave, are at Nuwera Ellia. Why do you this?" He answered, "To go to Nuwera Ellia for war." I do not know what the Dessave and Korale were doing at Nuwera Ellia.

By Jury.—I got to Panella about five hours after dark. It was one hour after when Panella Aratchy came, and some time after that Koombalgamoa Aratchy came. The people passed. This mob passed my house on their way to Panella, about five hours after dark, and it was on their way the people pressed me to join. They pressed me before my coming to Panella. I found nobody at Panella on my arrival there. The 10th prisoner forced me. It was seven or eight hours after dark that rice was prepared. The party had taken the meal before the Aratchies arrived. The 1st prisoner and his party were inside the house, and I was outside. It was 10 or 12 hours after nightfall when I left the place. It was proposed to us to go, on which I and the other Aratchies consulted, and came off. We came off one by one, and separated each to his house; we separated at Panella. Koombalgamoa Aratchy and his men went first, and myself and the other Aratchy afterwards. We all went off at once. We waited till the rebels went away, and then left the place together. I afterwards went back to the rebels for a gun which was taken from my boy, and on my going up to them for my gun they beat me. The gun was taken by the 1st prisoner by force, and carried off. This is the gun.

Rasmigolle Ookooral Aratchy.—I am Aratchy, one mile from Tippogolle. The 6th prisoner lives there; he is my brother-in-law. I know the 1st prisoner, and saw him at Tippogolle in June last at the house of the 6th prisoner; it was on the 5th June, or thereabouts, about eight or nine in the evening. I was sent for by the 1st prisoner, and when I got there I saw the 1st prisoner in the middle of the house on a chair. I saw nothing particular about the room in which he was. The 7th prisoner was present, but the 6th prisoner was not there when I arrived. I think there was a cloth on the chair where the 1st prisoner was sitting. When I got into the room, the 7th prisoner said, "This is the king; pay homage;" on which I put myself into a kneeling posture, and made obeisance to the 1st prisoner. I fell upon my knees as soon as I was desired to pay homage. The 1st prisoner asked the 7th who I was, and he answered, giving my name. The 1st prisoner then said, "Is this the man who intends to betray me?" On which I said "No, I am not such a traitor, I shall be faithful." The 1st prisoner then proceeded to the madoowa, where he seated himself, and many persons came to him, and paid him homage there. The chair was removed to the madoowa for the 1st prisoner to seat himself on. There were more than 20 people come, and among them the 6th prisoner. They prostrated on their knees as I did to the 1st prisoner, who had a cloth over his head-dress, and a flower shawl on his shoulders. After the men paid homage, the 1st prisoner said, "Let us go and lay hold of Andrewewe Koralle." I assented, and said, "Let us go, but what shall we do with him?" Then 1st prisoner replied, "If he agrees he will go with us, and if not we will take him by force." He said, "We must go to N. Ellia. I have 50 men from such a place (naming it), and 50 men from another. We will lay hold of Andrewewe Koralle to-night, and then go to N. Ellia." I said, "What shall we do at N. Ellia?" The 1st prisoner said, "We have swords, and when we get to N. Ellia we shall have as many arms more as we wish." I said, "Can the Walepenny people alone make war, though you have all this?" He said, "The people of all the provinces had been consulted, and were agreed with him; and I have spoken to all the Malay soldiers at all the places, and they were agreed also." I said, "Andrewewe Koralle has no guards, and when you get him send a writing to me, and I will come with men wherever you appoint." The 1st prisoner said, "You have counselled well, and when I have taken the Koralle I will write to you, and do you then send men." He also said he had sent men to guard the passages on the way to N. Ellia. This was all our conversation, and I then went home and made a report that same night to the Government agent at N. Ellia. I took the report, and proceeded with it to a person to whom I promised money to carry it direct to Captain Kelson at N. Ellia. I then proceeded home, and loaded two guns, in order to show the 1st prisoner if he came to my house that I was ready to join him. I afterwards heard the Koralle was not apprehended, and the following day I set off to N. Ellia myself, with other persons. The 1st prisoner also said, "When we get N. Ellia and Badulla I will make you dessave. I have other friends who will be ready against the same day."

By Mr. Wilmot.—I did not wish to be dessave of the provinces. He made the offer of Wallepanne as my dessavony. He said, "If I should comply, he would give me a dessavony on his return from N. Ellia to Badulla." He did not mention any place by name as the place of which I should be dessave. The 6th prisoner said, "I would do well to mention this to Government." The 6th prisoner said so to me. He did not desire us to apprehend the 1st prisoner. I did not expect that the 1st prisoner would get a kingdom. He looked much as he does now. I did not think he was a king. The moment I arrived I was desired to pay homage, and I did so, as the 1st prisoner was well dressed and called a king. I never saw a Kandyan king. I know what a Cawilla dance is; it was not such at the madoowa. I dare say there was a priest present. I cannot say "no" upon my oath. It is usual to fit up a banna preaching place as the madoowa was on this occasion. The 10th prisoner is a priest. He was present on the occasion. About 30 days previous to this occurrence I had mentioned to Captain Kelson that a rumour was of a king, or person in that character, going about the villages, and after the occurrence I mentioned what I had seen in my report to Captain Kelson.

By Mr. Selby.—The 10th prisoner was in robes on the occasion of the affair at the madoowa. I heard no banna preaching at that time, but the 1st prisoner seated as king.

The 6th prisoner said to me to mention to Government that a person was going about as king.

By Court.—The 6th prisoner said so after I paid homage. It was after I despatched my report, the next morning, at the 6th prisoner's house to which I returned. I said "Very well, I shall communicate;" but I had already done so. I did not tell him that I had done so.

By Jury.—The affair at Panella was after the homage-paying at the madoowa which I have mentioned.

Kehelwatta Keerale.—I live a mile from Tippogolle, and went there to the house of the 6th prisoner. I was asked to go there by the 7th prisoner. He came to me, and called me, saying that the king was arrived at Tippogolle, and that we must all go thither. I went accordingly, with about 20 persons, and arrived at Tippogolle about five hours after nightfall. When I got there I saw the king, I mean the 1st prisoner, on a chair in the middle of the madoowa. There was a white cloth on the chair. The madoowa was decorated with white cloth. I did nothing. I stood all the time I was there. I did not salute any one there. I did not salute the 1st prisoner. I was desired by the last witness to get light, and show the way to Andrewewe Koralle. I did so, and showed the 1st prisoner the way. The last witness and the 6th and 7th prisoners were at the madoowa when I went there. I saw no banna preaching that night at the madoowa, nor did I see any priest there. We went towards Andrewewe Koralle's house, and, when there, the Koralle's wife placed a cloth on a stone for the 1st prisoner; betel was also presented to the 1st prisoner; and when they were beginning to prepare rice I and some others were sent away. I came away accordingly. The Koralle's wife was present. I did not see the Koralle himself in the house. I was desired to go away by the 1st prisoner. He said, "You had better return home; I have something to say to the Koralle and will remain."

Elhutte Hamy.—I live at Ambangwelle, and know the last witness, who also lives there. I went with him to Tippogolle six hours after nightfall. I went up at the call of the 7th prisoner, who said that the king was there, and that we must go. The 7th prisoner went away, desiring us to follow. We went to the house of the 6th prisoner, and found the 6th and 7th prisoners there when I got there. I saw people assembled, and the 1st prisoner was pointed out by the witness before the last, saying, "This is the king." He was seated on a chair in the madoowa. The madoowa was decorated with white cloth, ceiling, and curtains. The same person desired me to pay homage, and the 1st prisoner said, "There is no use in paying homage, will you do as I desire you? I am to get the Kingdom of Ceylon, will you join yourself to me?" We all said, "We enjoy our liberties very well, and cannot agree to this." The 1st prisoner was sitting in the chair at the madoowa when this conversation took place. There were about 50 persons present at the time. Nothing further was said, but the 1st prisoner asked for men to guide him to Andrewewe Koralle's house. The Rasmigolle Arachy desired three of us to go and light the 1st prisoner to the Koralle's house. I heard no banna preaching at the madoowa on this occasion. I saw the 10th prisoner there; he had robes on; they were white robes; what else can I call them.

By Mr. Wilnot.—The madoowa was prepared as for a banna preaching. I live a mile distant from the madoowa. I went to Andrewewe Koralle's along with the 1st prisoner. I went to show the king thither. The Koralle was not at home; his wife was. She spread a cloth on a stone near the door for the 1st prisoner to sit on, and made preparations to boil rice; and while rice was preparing we were desired to go by the 1st prisoner, saying he would remain to see the Koralle. I never went to Andrewewe Koralle's house afterwards.

By Jury.—I left the house of the 6th prisoner about 20 hours after nightfall. It was eight miles to the Koralle's. Rasmigolle Arachy was there till we set off to the Koralle's, and went with us part of the way to the Koralle's. Had we been desired to seize the 1st prisoner, we could have done so, but nothing of the kind was done.

Wellecombera Ramulahamy.—I was at the house of the 6th prisoner, with the two last witnesses. The 7th prisoner called us saying, "The king is arrived; come along." He said nothing else. I was examined as a witness at N. Ellia, and stated the truth there. I said there that the 7th prisoner said he was sent by some one; yes, he said, he was sent by Rasmigolle Arachy. The 6th and 7th prisoners were both present when we were desired to come to see the 1st prisoner. The 7th prisoner said because the 6th prisoner and Rasmigolle Arachy had sent him. The madoowa at Tippogolle was decorated, and a man called "the king" was seated on a chair. Rasmigolle Arachy said when we arrived, "This is the king," and he desired us to pay homage. I did not pay homage or any of the men with us. "Did you say in the District Court that you and the other people prostrated before the king?" I said "others did," but it was all over before I came. "Did you say in the District Court that you did pay homage?" I did; I said so through fear, being frightened by the agent at Nuwara Ellia in the Court. He asked me if I paid homage, and I said "No," on which he scolded, and I immediately said "Yes." I was examined by Major Rogers; he did not frighten me. I said as I said here, that I went to Tippogolle and saw the king. "Did you say to him that you prostrated?" No, I did not; it was through fear I said at the Nuwara Ellia Court I had prostrated.

By Jury.—What were the words the agent uttered at the Nuwara Ellia Court? I do not know. The modliar explained to me, that he said "Don't tell lies, but tell the truth." It was just when I said, "No," that the agent scolded, and the modliar said, "You are desired to tell the truth, and not to say so." The words used mean the same thing. He said, "You are desired to tell the truth, and not to tell such lies." This was said but once. Nothing else was said which frightened me.

[Adjourned.]

Saturday, 9th September.

Andres de Soysa Appoohamy.—I am tutor to Andrewewe Koralle's son. I am a low countryman, and live in the Koralle's premises. The boy is about 12 or 13 years of age. I went one night to the Koralle's house, having heard a noise there. I heard his wife cry out, "There were some thieves or enemies in the house." This was about 8 or 9 in the evening. When I got to the house, I found the Koralle's wife in the street in front of the house, and six other men were there; none but these six persons were there at that time. I remained in the house till morning, because the Koralle's wife said, "The master is not at home, he went off, a hostile mob having come to take him away; do you remain to take care of the property." So I remained, and about two hours before daylight a number of men came to the house, and spoke, calling out, "Mohattale, Mohattale!" on which I went out to the end of the pila, when I was called by some people, and went to them. A priest was among them, so I saluted him, and one of the company said, "There stands the king, pay homage;" on which I looked and saw a person seated on a stone, and I saluted him accordingly: I did not kneel to him. The king was dressed and seated. The 1st prisoner is the person I mean by "king," and the 10th prisoner is the priest. I was addressed in Malabar, which was interpreted "the king wishes to know where Andrewewe Koralle is?" The 12th prisoner is the person who interpreted between the 1st prisoner and myself in the above words. I answered, "The Koralle is not at home." On which I was asked, "Who then reads the Banna?" I said it was I myself, the Koralle is not at home. The king then said, "You low countrymen can deceive. I will do the Koralle no harm; send for him wherever he is. I have letters against the Koralle, but I do not believe them, and must have a personal conference with him; by any means bring him to me, I will give him any office he wishes, and to you also I will give a suitable return for your services." I replied "I was in the upper house, and came on hearing a noise; the Koralle was not in the house when I came here; he is not at home." While thus engaged in conversation, the Koralle's wife called out to me, and I asked the 1st prisoner's leave to go to her; but the 1st prisoner said, I must answer her from the place where I was. Upon which I did so, and she came with one of her daughters, and afterwards the Koralle's wife advanced, and paid homage, the priest having previously said, "Be not afraid, but come and pay homage to the king." She paid homage in a kneeling posture. The form of homage was not presented to her in any way. The 1st prisoner asked, "Where is the Koralle?" and she answered that he was not at home; a mob came last night, and wanted to take him: whether he is dead or alive I don't know; whether he is put to death by the rebellious troop or not. The 1st prisoner said, "We did not come in last night for fear of injury to the children. You are making a great mountain of this little man; we shall do him no harm, so bring him to me. I shall bestow favours upon him, so bring him to me wherever he is to be found." She then went and called out, "Koralle," and returned, saying, "He is not at home." The 1st prisoner then said, "He must be gone to Nuwera Ellia: though he has done so, use him well; give him food on his return, and send him to me at a place named." The 1st prisoner then went away with his men. I went in their company a short way, and then I took leave, and came back alone. But the 12th prisoner, and another person of the king's company, said, "Provisions must be provided for the king." I gave notice of this request to the Koralle's wife, who was at hand, and she set about preparing victuals accordingly; and the 12th prisoner and the other went back with me, and got betel in the Koralle's house. The next time I saw Andrewewe Koralle was at Nuwera Ellia, some time afterwards, having accompanied the Koralle's wife to Nuwera Ellia by an order as I understood from Nuwera Ellia for that purpose.

By Mr. Wilmot.—I have been 18 months in the Kandyan provinces, and about seven or eight months in the employ of the Koralle, being recommended by the Dessave. I teach the Singhalese. I am not paid by the month, nor have I received any money wages since I came to his employ. I get my food and lodging, and have been promised money or other remuneration when the boy is taught. It was on a Monday evening I went to the Koralle's house as above-mentioned, about three months ago; but I do not know exactly how long ago. The house where I was when I heard the noise is upwards of 100 yards from the Koralle's house, and separated by a stream. The noise which I heard was, "Here, some thieves are come, and attempting to break our house!" This was from the Koralle's wife. There were other men who came to the cry as well as myself. In the house there live three sons and four daughters; the eldest son is 12 or 13 years old. One of the sons was with me at the hill-house on the night in question. The 2nd son, he was sleeping on a mat near me, and I got him up and took him with me to the Koralle's house; he is about 10 or 11 years old. I saw the Koralle's wife first when I got to the house; she was on the road opposite to the house where her children were, Kaloonyayde's house; a field divides that house from the Koralle's, about half the distance between the Koralle's and the hill-house. The Koralle's wife asked me where the Koralle was, and if he had gone to the hill-house. Kaloonyayde's house is nearer to my house than the Koralle's house, and when I went out I found the Koralle's wife at Kaloonyayde's, which is nearer than the Koralle's house. The children were there, and they and the Koralle's wife were in alarm. There were two men (neighbours) standing with the Koralle's wife, and at her direction they accompanied me to the Koralle's house, to take charge of it. I found no thieves in the house; but in the morning I heard the cry, "Mohattale, Mohattale!" as already mentioned; nobody came from Arookwatte with chools on that occasion. I do not know of any victuals prepared for the 1st prisoner, except on this occasion; but I understood persons did come with the king from Ambaugwelle. The Koralle's wife prepared the meals for the 1st prisoner, inside the house, and the blacksmith's woman got the rice ready for the

men in the hall. The 1st prisoner was not within the hearing of the 12th prisoner and the other when victuals were asked for by them. Neither the rice nor the curry which were prepared in the Koralle's house were taken to the 1st prisoner. It was eaten by us in the evening. The men that returned to get victuals in the house ran off on the Dessave coming to the place.

By Mr. Selby.—The above occurrence took place four or five days before I was examined by the District Court.

By Court.—I never saw 1st prisoner get victuals in the house of the Koralle; and when the 12th prisoner and the other asked for provisions, they said, "We must, at least to-day, have rice of the enemy; therefore, get victuals prepared for the king." The king was out of sight at this time, and at a distance. I left the 12th prisoner and the other when I took leave of the king; but they came after me and were close to me when they asked for provisions.

By Jury.—There were 12 men with the king; I did not know any of them. The 1st prisoner went away about two English hours after daybreak. Keerale and Elwattehamy were not there, I think. I took no notice of them nor of any of the other prisoners, except the , to my knowledge. I do not think any efforts were made to take the king and his party; if any efforts had been made they might have been taken. I think the men who were with me taking charge of the Koralle's house would have heard the request made to me to pay homage to the 1st prisoner.

Palloogame Ookooral.—I live at Walepenny, within call of Andrewewe Koralle's house. I went there one night, about eight hours after nightfall, being called. Koralle's wife called out, "Some thieves are pelting stones at this house, come all of you who are near!" On this cry I went out, and on getting to the Koralle's house I found men there; among others the last witness. They were in the hall of the Koralle's house; and that night I remained at the Koralle's house with the others. The Koralle's wife said, "The king and his party are expected to take the Koralle. I and the children have escaped, so take charge of the house." She was near Kaloonayde's house when she said so, and she accompanied me to the house, but soon went away, having first directed us to take charge of the house, and not allow it to be robbed; we led her round the field to Kaloonayde's house, and left her there. We returned to the Koralle's, where we remained all night. Near morning some one asked, "Who is in the house?" we answered, "We are." This was said by last witness, who then opened the door and went out. I followed him, so did the others who were in the Koralle's. When I got out I saw a priest and a number of men near the 1st prisoner, who was sitting on a stone. The 10th prisoner is the priest, and he said that it was the king who was sitting on the stone. The 12th prisoner was there and spoke to last witness. "The Koralle and his family have escaped because the king and his party were coming. He is not in the house; the ladies are in yonder house; shall I call them?" This was said by last witness to 1st prisoner, who said, "Well, call them;" and the last witness went a short distance and called them out of the field. The Koralle's wife and her children, five or six in number, came to his call, and went to the place where the king was, and the 10th prisoner said to her, "Pay homage without any fear," on which the Koralle's wife and all her children paid homage to the 1st prisoner. I made obeisance also at the same time; and afterwards the 1st prisoner said, "The Koralle is a clever man; I came to find him but am disappointed. All the people are with me; when he comes, tell him to come to me." The last witness and the Koralle's wife said they would desire him to come to him. The 1st prisoner and his party then went away; but afterwards the 12th prisoner and another said, "The king wanted provisions," and I saw them in the house and victuals preparing, when four men came from the Dessave's house to take the 12th prisoner and the other person to the Dessave, on which the 12th prisoner and the other made off, saying, "You could not take us yesterday, why should you to-day?" The Dessave's men pursued them, but did not overtake them, so the Dessave's men returned.

By Mr. Wilmot.—The Koralle's wife cried out, "Some thieves are come here, come three or four of you of the village, my house is within hearing, some thieves are pelting stones, come all you of this village!" this was what she said. There are but three or four in the village. She said, "Some thieves are pelting stones at the house, you of the village come;" she said, "Some thieves are pelting stones, come you two or three of this village." I went alone, but on my arrival I found others; and at the madoowa she said she could not have called out that rebels were there; the men said, if rebels are here we cannot remain, they will kill us; on which she said, "If you refuse to take care of the house this must be a trick of yours, my husband is away and my property left, I will go in tears to-morrow morning to the Government agent." She afterwards went away, and we agreed to remain in charge of the house. Next morning some one called and asked, "Who is at home?" that was what was called out. I did not hear "Mohattale, Mohattale!" the last witness answered, "Not at home." This was from inside the house. The question was put when it was quite dark, and when it became light the door was opened. The question was repeated in the same words, with the addition, "If he is, come out." This was when it was light, and on this the door was opened and the last witness went out, we all following; we then saw 10 or 12 attending on the king. The 1st prisoner then asked the last witness, "Where is the Koralle?" he replied that it was said "The king and his party with the people of the villages were coming up to take the Koralle for not having sided with him, and therefore he has run away." The king said, "Call him—try;" on which a shout was made by last witness, and at this shout the Koralle's wife and children came; "Korallehemy, if you are there you must come out!" this was the shout made by last witness, but nobody came excepting the Koralle's wife and children. The 1st prisoner said they must send provisions, and for that purpose two of his men were left.

By Jury.—The 1st prisoner left the Koralle's house; the sun had risen more than an hour after daylight, and when his men left it was three hours after daylight. Nobody went with me

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from Kaloonayde's house. It was at the Koralle's house we found the last witness. The Dessave's men did not propose to us to seize the men; had they proposed to us to seize them we could have done so. When parting with the king and his party a little way from the Koralle's, the king said to two of his men, "Do you stay and get provisions."

[Adjourned.]

Monday, 11th September.

Keree Maniker, wife of Andreuence Koralle.—I recollect something happening last June. The king (1st prisoner) came to our house that month in the morning about two hours before daybreak. The previous evening, while I was at home in bed, about eight or nine hours after nightfall, Kaloo Naide and another blacksmith came to the door of our house and spoke; they said, "Is master at home?" We went out, my husband and myself, and asked who inquires? They answered, "Be quick and open the door, the Singhalese king and his rebel party are coming to lay hold of master, you had better get out of the way." My husband and myself got out accordingly by a side road, and went as far as the granary, when my husband said, "You go as you please, and I will go this way;" on which he went through the Paddy Fields, and I and my children went to Kaloonayde's house. We brought our children with us out of the house, and they were with us, as did also Kaloonayde and Appoowa, the other blacksmith. When we got to Kaloonayde's house we remained there, and when Kaloonayde declined going to our house, I called out for neighbours; the neighbours came accordingly. I called out, "Some thieves are come and pelted stones to the house, come you who are in the neighbourhood," these were my words. I afterwards returned to my house, and desired my neighbours to make a fire, but they said, "They cannot remain, we came to your cry of thieves, but as the Singhalese king and his party are expected we cannot remain." Then said I, "This must be a trick of Kaloonayde to drive us from our home: if you decline remaining, I will go and complain to the Government agent;" on which they agreed to remain. I then went back with my children to Kaloonayde's house, where we remained all night. The next morning I saw the king, the 1st prisoner; as I was returning to my home next morning I saw him seated with 10 or 15 persons around him. The 1st prisoner is the king, and the 10th prisoner was among the persons round him. I had never seen the king before. When I was returning home that morning I asked, "If any one was there;" and the Goornause said, "No, no one;" but when I saw the people assembled I refused to go, when they said, "The king is there, and he is come to see your husband, do not be alarmed;" on which I went forward; at this time a son and daughter of mine accompanied me, and when we got to where the king was the 10th prisoner said, "Here is the king, do homage," on which I put myself in a kneeling posture and saluted the 1st prisoner. The 1st prisoner then asked me, "Where is the Koralle?" I said he is not at home, because there was intelligence brought last night that the king and his party were come to take him, he had got himself out of the way; the king and his attendants said, "They did not come to do him any harm, but only to see if he will join our party or not." The 1st prisoner further said, "It was my intention to promote him to high rank, he is a fool to have run away, so bring him to me." I then called out for my husband, but got no answer, on which the 1st prisoner said, "Never mind, he will return, and when he does, send him to me at the place named;" on which the 1st prisoner went away. Afterwards the 12th prisoner and another came back and said, "We have been waiting the whole night and are tired, therefore give us food for ourselves, and for the king and his attendants;" myself and the wife of Kaloonayde on this cooked rice; but at this time messengers belonging to the Attepatto came to seize them, on which they ran, the 12th prisoner crying out, "The king was yesterday conversing with the Dessave, what fault have we done that you are come to seize us to-day?" The next time I saw my husband was at Nuwera Ellie about four days afterwards.

By Mr. Wilmot.—I saw the Goornause yesterday, I mean the day before yesterday; he was in the witness's room. Appoowa is a blacksmith boy, who lives in Kaloonayde's house; there are three or four houses near our house; my husband did not send for aid to them: it was I who called out after he was away; he did not call out, nor did he say we should go to Kaloonayde's. He left us to our choice where to go: two of my daughters and myself carried the children to Kaloonayde's. The distance between our house and Kaloonayde's house is as far as the Constable's Boutique, and between the upper and lower house of the Koralle's there is the distance of a call. The Goornause came with others to my cry for assistance. I called out to two houses by name, and the people in them answered, "What do you say?" I said some thieves are come, they are pelting stones, for I was afraid to make any other cry but that of thieves. Kaloonayde and Appoowa were at the house when I called, and Ookooralle was the first who come to my call. I was then at Kaloonayde's house, no one came next. The Goornause was at the house of the Koralle first; I saw the Goornause first when I was at Kaloonayde's house; he came after Ookooralle had left me to go to the Koralle's house; he was just then gone, he was the length of the next Paddy field: I cried out to him, "Ookooralle, stay to go with me!" Goornause did not go with me to the house from Kaloonayde's, I sent him away. Ookooralle went with me while the Goornause went another way. Ookooralle stopt till I came up to him. When I got to the house the Goornause was there, no one else, and I cried out after my return to the house, and to my cry neighbours came; it was then I asked them to light a fire; the Goornause was among them; when I cried the second time it was about thieves, "Some thieves are to enter the house to-night." The Goornause declined to call out. It was hardly daylight when I came to the house the next morning, it was of my own accord to see the house; when I was on the way as far as the field the Goornause

called out, and I asked him, "Who is in the house?" he said, "There is no one in the house, you may come;" but when I got near the fence and saw the men, I refused to proceed further. That was the first time I ever saw the 1st prisoner, and I have not seen him again till this day. It was in the month of June I saw him first, and this day; these are the only occasions on which I saw him. I never fed him with rice and curry. I never presented betel to him; the 12th prisoner asked betel, and the Goormause gave him a betel leaf; he also asked for rice and curry to the king, and for themselves and the party. The king said of my husband, "He is a clever fool, I came to see him."

By Mr. Selby.—I have a son, Keri Bande, and he followed me and came up to me when I was with the king.

By Court.—At that time there was with me my daughter, then my son came, and afterwards all my children, except the infant who was brought after the king departed.

Kehehoatie Keorale, recalled.—I left Tippogalle Ratteralle's house with others, it was daylight, and we went to the Ambulam, and then to the house of Andrewewe Koralle. I did not go to my house; it was four hours after daylight when I got to the Koralle's; the 1st prisoner left Tippogalle Ratteralle's house with others at 3 o'clock in the morning, before sunrise three hours I had lights so far showing him the way. I was examined in the District Court, and said, "We remained all night at the Ratteralle's;" the 1st prisoner said, "We would go away and remain at a place. I went home and arrived two or three hours after sunrise: I did not say so in the District Court; seven persons all went to the Koralle's, and we got there four hours after daylight. I saw nothing further than that betel was presented, and they proceeded to cook rice, at which time we were desired to go away; the betel was presented to the king. The 7th prisoner did not go to the house of the Koralle, he left us on the way. I got to my own house at the 6th hour of the morning; the Koralle's wife presented betel to the king."

By Jury.—I had a red cloth on, nothing on my head. Ookooralle was there. The Goormause was there; only the daughter of the Koralle was there; this was the only female I saw. I was not inside the house.

Pallegedere Dingere Naide.—I live at Kota Kandra, in the same village with Andrewewe Koralle. I have seen the 1st prisoner at the Koralle's house; I cannot say the time exactly, but it was the month of April last. Ookooralle and others were there; the 1st prisoner was sitting on a stone at the house of the Koralle. I heard a noise of "Ho!" about day-break, on which I came out of my house, and found Ookooralle and the Koralle's son calling out to me, "Is the Koralle in your house?" On which I ran to the spot, and was informed by them that the king had been there: among the persons present were several that I knew; the 8th and 9th prisoners were there. I left the house three or four hours after daylight, the king had by this time departed. I went away after the 1st, 8th, and 9th prisoners were gone. I was present when the Attepattoo messengers came, and saw the men who ran away. I did not see the 6th prisoner there; the 13th prisoner is one of the men who ran away from the messengers. The 10th prisoner was with the king's party, and went off with the 1st, 8th, and 9th prisoners.

By Mr. Wilnot.—The day before yesterday I bathed with Kaloo Nayde. Andrewewe Koralle's son and various others were bathing together. I had no conversation with them on the subject of this case. I went to the Koralle's on hearing the Ookooralles and the Koralle's son calling out for the Koralle at day-break. The Koralle's son now mentioned is the person who bathed with me and others; he cried, saying, "The Koralle has run away because the king and his party was coming to take him." This was at the field named, a short distance from the Koralle's house. It was Ookooralle who cried out as above, and the Koralle's son cried out, "Father! Father!" The king and his party went away, saying, "You come and bring rice when the Koralle returns." He said this to the 12th prisoner and another. I saw prostration to the king; the Koralle's wife paid homage to him at the desire of the 10th prisoner. The Koralle's wife was present when the 1st prisoner desired them to bring rice, and she said, "Very well; should you bring anybody to carry away the rice, I will prepare it." On this the 1st prisoner said, "Very well," and left the 12th prisoner and the other to get the rice.

By Jury.—I could hear a cry from Kaloo Nayde's house, but there was no cry that night that I heard. I came to the cry of "Ho!" and reached the Koralle's house just at morning; the Koralle's wife was just come when I got there. It was dark in the morning at that period. I cannot say whether it was eight or ten days before the Government Agent of Badulla went to Wallepenne. The Koralle's wife went to Nuwere Ellie three or four days after the disturbance at the Koralle's.

Liangastenne Keriawante.—I live in the district of Nuwere Ellie, and know Galinde Koralle the 3rd prisoner. He has a Panella at his property, and on last Singhalese New Year's-day in the evening I went there on the occasion of the death of a nephew of Galinde Koralle. He was shot, and I went on that occasion. When I went he was alive; all the village was there. The Koralle was not there; however, we brought him to the Koralle's house, and two days after the Koralle who had been absent returned home. He was alive when the Koralle returned. I live in the house of the wounded man. I went to the Panella the next day after the Koralle's return. The Koralle asked his wife, Rene Manika, "Who has come?" and she said, "There, he is gone to the Panella." The Koralle and others then went to the Panella, which is a little way from the Koralle's house. When I came to the Panella I saw the 1st prisoner and others whom I don't know. The Koralle desired people there to go home and bring cloth immediately. Cloths were soon brought accordingly, and the Panella was decorated with the cloths. The 1st prisoner was then in the court of

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the Pansella, and when the Pansella was decorated, he went in and sat down on a chair prepared for him in the hall of the Pansella. The chair came from the house of the Koralle. When the king was seated, homage was paid him by prostration on the knees and inclination of the person. The 1st who paid homage was Galinde Koralle, the 3rd prisoner, myself, and others, and among them the 4th and 5th prisoners. After the ceremony the 1st prisoner and his attendants went into the room of the Pansella, which was also decorated, and the 3rd prisoner called out, "The king is here; in July next the island of Ceylon will be his, you must come together again when I give you notice." The 1st prisoner was in the room at this time. There was a number of people assembled outside, and the Koralle said so. The Aloogedere Mohottale said, "There was a disturbance like this last year; what if we lose our property?" The Koralle answered, "The same shall not happen; those who go away may go away, and those who remain shall be destroyed. As you have assembled this day, assemble again when I give you notice." The multitude assembled at this time amounted to about 25 in number, but I am not sure of the number. When I asked the reason of the homage, the 4th prisoner said, "This is he to whom Ceylon is to become subject in July next." This was after the 3rd prisoner had made use of similar words. No, it was previous, while 1st prisoner was in the hall.

By Mr. Wilmot.—I know the 3rd prisoner; a brother-in law of his had a law-suit with me, in which I succeeded. I am working the land respecting which the suit was; it is eight years since I got a decree in that suit, and about five months ago a bullock belonging to a nephew of 3rd prisoner trespassed on some lands; I gave some pilahs of paddy land to the brother in November last. About 15 years ago I had a prosecution against the Mohottale, in which I succeeded. I went to the Koralle's Pansella to see the king, who, I understood, had come there. It is not true that I knew till I went there that the king was there. The first person who said, "This is the king," was not Galinde Koralle, but Galinde Aratchy was the person who said so. Galinde Koralle did not tell me to pay homage to the king, nor did any one do so. I did not pay homage to the king. I did not go near to the person of the 1st prisoner on this occasion. I saw the king in the hall. I never saw him but in the hall; previous to my seeing him in the hall I saw persons, but I did not then know him. It was on the outside I saw him first, but I did not know who he was till I was informed. I was examined in the District Court. Andrewewe Koralle served a summons upon me to attend the District Court, and I went in company with him and all the other witnesses. Andrewewe Koralle said, "Because you are participators in high treason; you have been summoned as witnesses, tell what you know." He also said, "It is stated that a king has come into this part of the country; if you know anything of it, say so, and if not, say you do not." Andrewewe Koralle was at one time Mohottale, but his district was divided into three koraleships. He got one and Galinde Koralle got another; this was about six years ago. There was a priest living in the Pansella at the time when the people went there.

By Jury.—"Somebody has come to the house, the Koralle is required immediately;" this was the message that came to the Koralle when he was at the wounded man's house. I went with the Koralle as well as many others.

Arumpitiye Ookooralle.—I know Galinde Koralle, and that there is a Pansella on his premises. I was there on New Year's-day, about six or seven hours before nightfall. I went there on my way to ascertain a lucky hour at an astrologer's who lives beyond. I heard talking at the Pansella, and went there. I saw people there then; about 30 people in the court of the Pansella and otherwise. I asked the last witness the matter, and he said a king has arrived, and we are come to see him. The king was seated in the hall when I first got to the place; the 1st prisoner is the person I mean. The Koralle, Galinde Koralle said, "None of you shall give any intimation of this, you must be faithful, and assemble when I give you notice; if anybody does otherwise, he will not be able to support it." The Koralle was standing on the Pila and the king was in the middle of the hall when he said this.

By Mr. Wilmot.—About four years ago I was imprisoned on a charge, at the instance of Galinde Koralle; he had a civil suit against me and my brother; and while this suit was pending, I was charged by him with an assault, and on this I was sentenced to two years' imprisonment, about four years ago; and he succeeded in the civil suit the same year; he recovered costs against my elder brother. I did not make obeisance to the 1st prisoner. I heard he was king and would have believed if they had said he was one of the gods: yes, I would. I am a man living in the jungle, and not acquainted with courts. I remained at the Pansella but a short time, and then went away. Andrewewe Koralle went with me to the District Court, and several others who had been summoned as witnesses in this case.

By Court.—Andrewewe Koralle said nothing to me on the way to the District Court on that occasion.

Amunumulle Mohandiram.—I live at Serepata; I am related to Andrewewe Koralle; I am his son-in-law. I know the 1st prisoner, and saw him at Galinde Koralle's pansella, on New Year's day, on the last night of the last new year. My elder sister, who lives at the Koralle's, said the party was gone to the pansella; it was on this the Koralle and others among whom I was sent thither, and saw the 1st prisoner walking about the court of the pansella. The Koralle desired people to set a chair and fetch cloths; when the cloths were brought a room of the pansella was fitted up, and this being done the 1st prisoner took his seat on the chair and was saluted by the people around; they kneeled round and did salutation to the 1st prisoner; the 4th and 5th prisoners were among those who did salute the 1st prisoner after the salutation which was in the hall, the 1st and 3rd prisoners entered the room which was fitted up; the 3rd prisoner said "This is the expected King of Ceylon; his arrival is to ascertain whether you are to support him, and do as we wish you to do;" the people said, we cannot make a

king of ourselves, but if a king is sent (from the gods), we will do as we are bid. The 5th prisoner said, "It would be a great thing to us if such a thing take place." The next time I saw the 1st prisoner was the second or third day after, when I saw him at the 5th prisoner's; he was going down towards Osrookwatte. The 4th prisoner said, "Will you lead him to Arookwatte."

By Mr. Wilmot.—I was an Aratchy at one time, and dismissed from office for contempt of Court, and was succeeded by the 5th prisoner, 13 or 15 months ago. I hold no office at present. It was about six hours before nightfall I went to the pansella; on our way there we heard of a king having come. The last witness was in our company when this was said; several persons spoke to that effect. I did not make any obeisance to the king. I thought the 1st prisoner was a king, because the people said so; but I was not required to make obeisance. Gallinde Koralle had a dark cloth on several folds. The witness halted at my father's house on the way to the District Court at Nuwera Ellie.

By Mr. Selby.—I was dismissed by the district judge.

By Court.—The talk about a king was at the wounded man's house before we went to the Koralle's or the pansella, "The king is come, let us go and see." Koralle and others said so, the Koralle could not hear. He had not gone out from the wounded man's house. The 3rd prisoner was returned from the room to the hall. He said so in the hall.

By Jury.—It was on Tuesday we went to the pansella. On New Year's eve Punchiralle was the person who brought the message to the Koralle in the wounded man's house; Keerale was the first who whispered that the king was come. Kiriwante was present when the talk was about the king in the wounded man's house. I left the 1st prisoner at the pansella when I left the place.

[Adjourned.]

Tuesday, 12th September.

Tennegedere Ockoorale.—I live at Terepaha, and know the 1st prisoner; I saw him at my village at the house of the 5th prisoner. The 5th prisoner said at our house, "The king comes to Terepale to-day; you must not go anywhere," so I remained at home that day, and in the evening the 1st prisoner came to 5th prisoner's house. A boy of mine said the king and some others have come, so I went to the 5th prisoner's house: I and another went together; and when we got to the 5th prisoner's house, I found the 1st prisoner seated in the room, which was decorated for the purpose. The 5th prisoner and others said, "Homage must be paid to the king," so homage was paid. The 5th prisoner first, then the 4th prisoner paid homage, and afterwards others and myself. I paid homage by kneeling, which was what the 5th prisoner and others did before me. I did not know how to pay homage to a king before. The 1st prisoner asked us all, "Do you prefer my government or the English government." The 5th prisoner said, "There was something similar before, and that did not succeed, so we are afraid, but to the English government we have no attachment, but we desire a king wherever we may be born." i.e. in our transmigration. The 1st prisoner said, "Since such is your desire, will you listen to what I say? Then take a census of the men in your arachyship, and of the arms of the men, and be in readiness." It was then late and we returned to our houses.

By Court.—I was about three or four fathoms from 1st prisoner, when he said "Take a census of the men." I was standing on the pila, and he was seated on the bedstead. He said so to the 5th prisoner, to him only; and the 5th prisoner answered, "Yes."

By Jury.—The 1st prisoner was at the 5th prisoner's when I went there. There were about 10 or 15 persons who payed homage on this occasion. This was on the 2nd day after the new year began.

Wediyale lagry Menikrale.—I live at Terepaha and saw 1st prisoner there at the house of the 5th prisoner, on the second day after the new year began, in the evening. The last witness called to me to go and see the king there, so I went. When we got there we were to pay homage, and did so; they paid homage two at a time; the 5th prisoner 1st and others afterwards with myself. The 5th prisoner desired the people to pay homage. When we paid homage, the 1st prisoner was sitting in a cot, in a room decorated with white cloth. After doing homage I heard the 5th prisoner say, "You may go and assemble when you are required. This was after the 1st prisoner had said the same thing. And when we heard this we went away. I heard nothing more said. There were about 10 or 12 persons present. I was at the place about two or three Singhalese hours. I saw the 1st prisoner again at the 5th prisoners. About a month afterwards, late in the evening, I went there, being told the 1st prisoner (the king) had come to the arachy's (the 5th prisoner's). I went alone, and when I got there I saw the 1st prisoner, and three men who had accompanied him. They were sitting in the madoowa, and the king slept in the room, and the attendants in the granary. I was there all night and saw the king and his attendants go away. This was early next morning, and they went the way to Arookwatte.

By Mr. Wilmot.—The 3rd prisoner had a suit against my father, about 10 years ago, in which he succeeded. The suit had reference to a Chena.

By Jury.—I saw the 1st prisoner the second day after the new year. The 3rd prisoner lives two miles from the 5th prisoner's. I heard nothing else said but what I have stated. The king's attendants were on second occasion; I did not know he had attendants on first occasion.

Godegamegedere Menickalle.—I live at Godegamegedere. I have seen the 1st prisoner before; I saw him at the house of the Basuaike Nileme; I mean the 2nd prisoner; about three months ago, as I think; a little more than an hour after nightfall. I had heard that the king was present

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there, and I went to see him. The 2nd prisoner said, "You can see the king after he takes his meals—not now." The place was filled with people. The arachy of the village was among the crowd. About two hours and a half after nightfall, I and others were called in, and when I got into the room I saw 1st prisoner and another person, a Malabar who was introduced by the 2nd prisoner as the "Black Prince God." He and the 1st prisoner were on the bedstead in the room. We paid homage; those who did not know how to do homage, saluted; but the 2nd prisoner desired them to prostrate in the act of doing homage; having first been desired to kneel in doing homage, which when we did the 2nd prisoner said "Not so, fall prostrate." And when we rose, we were told that we had received grace or favour. The 2nd prisoner then said, "All the country is united except Andrewewe Koralle, and a portion of the Wanny. All these people will assemble at the new moon, to go to Badulla on a Pinkame. You must be ready to proceed." We declined, saying, our harvests were at hand, and could not go. When 2nd prisoner said, "Very well, we shall go, and when we have done with the Badulla Fort, be ready to accompany us to Nuwera Ellia to destroy it." After this we were desired to go, and we left accordingly. The Koralle of my division is the Kohoke Korale, and Kohoke Corle is Hewakette. The salutation, kneeling, and prostration were done to the 1st prisoner and the Black Prince, together at one time. The salutation, kneeling and prostration being in succession as above stated.

By Jury.—What was said by 2nd prisoner as to Badulla Fort was as from himself. I did not hear any one say the words before he uttered them; the two kings were at this time seated on the bedstead.

By Court.—I was in gaol four weeks, and escaped from confinement, but afterwards delivered myself up. I have often given evidence in the Nuwera Ellia Court. I was sent to gaol about six or seven years ago for not performing tappal duty.

Yatteremdegedere Ochoorale.—I live in Kohoke Carle; I know the 2nd prisoner, and went to his house about 10 or 15 days after the new year. There was long a report of a king going about, and on this occasion it was so said, and I got to the place about two hours and a half before nightfall. I saw many people there; I saw 1st prisoner sitting on a bedstead, under a canopy. It was an hour or more after nightfall that I was admitted, and when I got into the room I found several people, among others the 2nd prisoner, who was near the bedstead on which the king and Kalmkumara Diarya, or the "Black Prince God." The 1st prisoner is the person called king. The Black Prince was like to a Malabar. The 2nd prisoner desired me to pay homage, on which I saluted, and on that he said, "You have grace." I saluted with folded hands. I stood still, and the 2nd prisoner and the king, while I was in the room, asked me if I could attend them to the place named, and I went accordingly with the king, I mean the "Black Prince God." We set out two or three hours after nightfall. There were several persons with us at the time, among others the 8th prisoner. We went toward Podiappellella; but rain coming, on we stopt on the way, and were met by many of the Maturatta people, some bringing rice. There were about 50 or 100 of the Maturatta people; altogether 100, not less. This was during the night; they came with chule lights; when they came up they offered a seat to the king, Black Prince; this was in a hut in a hatcherea field; and when he came they also presented rice. I know the last witness, he was at the place before me. He was not in the room with me.

By Mr. Wilnot.—I was not carrying anything at Podiappellella; I went because I was desired.

By Jury.—The Maturatta people presented rice. They also paid homage, and spoke of going to Badulle on a pinkame: all the inhabitants of the province are to assemble in a pinkame; you must also assemble. This I heard said on the occasion, at the hut in the field. He did not say when the pinkame was to be, nor whose pinkame it was; but that notice of the pinkame should be given. I did not state in the District Court all I knew, as I was afraid I would inculpate myself; all the Maturatte people are displeased with me that I gave evidence. Ammunition was carried from the house of the 2nd prisoner, I mean swords, lances, guns, and saltpetre. These things were deposited at the house of an arachy. This took place after the affair, at Podiappellella. The lances were painted sticks with blades; three or four lances and three or four swords. The gunpowder was carried in an open chatty, and bullets were carried in a bag. The two kings went with the party who carried these things. I carried sulphur and saltpetre, and delivered them with the others to be deposited in the house. The people of the house presented the king with milk-rice, which he gave some of to us. When I delivered the sulphur and saltpetre, I ran away to my own house, being afraid to remain longer in their company. This affair had a warlike appearance, and I was afraid.

Yatterance Ochoorale.—I live in Kohokecoole, and know the 2nd prisoner, and went to his house in company with three others; we got there when it was just dark, and on arriving we saw many people assembled. This was after the New Year's day in April (May). There was a concourse of people, and we went into the house to see; on going inside the house, the 2nd prisoner said, "There is the king." We went into the room and saw the king under a white canopy. The 1st prisoner is the person I mean by king. He was sitting on a bedstead with another black person, whose face only I could see. I was desired by the 2nd prisoner to pay homage, on which I was going to salute. When he said, "Not so, kneel down." I did so, and saluted; knelt down and saluted, when the 2nd prisoner desired me to prostrate upon the ground, but there was not room enough, and I only knelt, all four of us knelt down. We did not prostrate, as there was not room. Munkrale did so as well as myself. The 2nd prisoner asked us to join, but on our pleading our harvest, he said we were excused, and then he said you may go. We live under the protection of Government, we cannot go. This we said also, "That it was our harvest." I never saw a pinkame with a king, and therefore I was afraid.

The black person with the king was called by the 2nd prisoner Kalukumare Deivigo, the Black Prince God.

By Mr. Wilmot.—I have been married 10 years; I do not know my wife's name; I never asked; we are now separate.

Yattindegey Appoo.—I know the 2nd prisoner, and have seen the 1st prisoner in his house. I saw him about 12 or 15 days after the new year; I saw him at the 2nd prisoner's, he and another person called Kalukumara or Black Prince were there. The 2nd prisoner was present, and others. I was desired to salute, on which I raised my hands to salute, when the 2nd prisoner said, "Not so, kneel down," which I then did. Ririe Maniker is the name of last witness's wife.

By Mr. Wilmot.—The Black Prince was silent, and I only saw his face. The 1st prisoner was not so much covered as the Black Prince. The king (1st prisoner) said, "Can you proceed to Badulle on a pinkame?" I did not hear 2nd prisoner say so.

Ongootela Appoohamy Aratchile.—I am Aratchy of Ongootela, in the Maturatta Korle. I know the 1st prisoner, I saw him at the temple in March (April) last; the temple is near my village in Maturatta. I heard a report of a king being in that neighbourhood, a man of great virtue. I went to the Vidhan to ascertain; I saw there the 2nd prisoner and 8th prisoner, and others. The 2nd prisoner called me out of the pansella to the door of the hall—"Are you for us?" I said, "Yes." "I fear," said the 2nd prisoner; I asked, "Why?" "We expect a king," answered he; "you are the only person we have not won yet, all the rest of the Corle are agreed together." I told him that I heard of a king whom no shots could hit; that he had a half-moon in his forehead, and two of his fingers of equal length. The 2nd prisoner made me swear that I would not be unfaithful to the king, or divulge the matter to any other party. I took my oath accordingly, after which I was led by 2nd prisoner into a room of the pansella, where I saw 1st prisoner seated on a bedstead. It struck me that no prince would sit thus in a pansella; there were five persons in all the room at this time. The king asked me, "Is it excluding you that a king would be placed over the kingdom of Ceylon? would you be the only exception?" I said, "If there is a person of great virtue competent to be made king of Ceylon, no one will be excluded, but all will be his subjects." The 1st prisoner on this said, "You have spoken well." I afterwards went to Bojahamore with the 1st, 2nd, and 8th prisoners, and others; we all went together about an hour before nightfall, and crossed a rivulet; we had a conversation together, the 1st prisoner and myself, in which he said, he was the eldest son of Gampole Noyeke Dewirgo (which implies royal descent by the mother's side), but afterwards we met some Rhodias, to whom he represented himself by another name; this was a lie, to which he got us to subscribe. He gave one of the Rhodias a piece of cloth, and then asked, "What force he had?" and the Rhodia said he had 400 Rhodias, and that he was their head man. The 1st prisoner then asked if he could bring them on an emergency, on which the Rhodia said, "he could bring that number and 400 more." I left the king at Bojahamore; I saw him afterwards at the same temple. The 1st prisoner having sent for me, said, "You must go to Nuwera Ellia;" I said, "Very well," and I bore him company part of the way. He asked me to go with him, as a person of experience, to show him the road to Nuwera Ellia. On the way we came to a place where there are two roads, one to Nuwera Ellia and the other to Ouvah; and when I charged him with telling a lie, as he said he was going to Nuwera Ellia, he said, "I never tell the road I am to go, if I say I am going to the north, I go south." Before going the Ouvah road the 1st prisoner put on a mendicant's dress, and put up his turban, and said, "Here I am now, a mendicant;" it was after this I charged him with telling a lie.

By Mr. Wilmot.—There was no sign of a half-moon on his forehead; I examined, and saw that he had not the marks of royalty, and that he had his fingers of unequal length. I did not see his forehead at the pansella, it was covered. I did not pay obeisance to him. There is a suit in which my mother-in-law was engaged; the 2nd prisoner was cited as witness, but not examined: this was in March last, but I do not know on whose side he was called.

By Court.—I did not see any obeisance paid to the 1st prisoner in the pansella.

By Jury.—Nobody went with him to the Ouvah road. The journey to Ouvah was after the new year. It was six weeks after this I first gave information to Government; I gave the information at Nuwera Ellia, at the Agent's house, a verbal report; I never gave any written report. The 1st prisoner had been apprehended by this time.

William Bartholomeusz, Deputy Fiscal at Nuwera Ellia.—The 2nd prisoner was in my custody on a charge of treason in June last. In the Court-house, before the Court and at, he said, "If Captain Kelson would let him away, and as others had given information against him, that he would admit everything." I told this to Captain Kelson. "The witnesses who have given evidence have said things to put a noose round my neck; before they do, I wish to go before the gentlemen and state what occurred;" the words were to that effect which 2nd prisoner used.

Rajep, Lance Corporal.—I was one of an escort to Badulla, and recollect halting at a place on the road, half a day's journey from Badulla. I met there three men, Singalese men. Private Cader asked them if they had any rice to sell; one of them said, "I have only cooked food." Cader took the cooked food, and took it to the corporal. A conversation then ensued as to the wages or pay and wages they received, and on hearing, he said they should get higher pay. The escort consisted of a corporal, sergeant, and 16 men, all of the Ceylon Rifles. Nothing passed between the men and me, and I could not recognize any of them again. There was nothing wrong in what the men said.

Captain Kelson, Deputy Judge and Government Agent, Nuwera Ellia.—I recollect the investigation into this matter; it was conducted before me as Deputy Judge. The 1st prisoner

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was brought up under a warrant charging him with treason. He made a statement to me in my private house. He was cautioned that it would be taken down in writing, and might be used against him. It was taken down in writing, and signed by me and two others, and by the 1st prisoner. He expressed a wish to communicate with me in private, and it was then I took the statement in my own house.

Statement.

June 28th, 1843. Before Capt. C. Kelson, Deputy Judge of N. Ellia, and H. C. Selby, Esquire, Acting Deputy Queen's Advocate for the central province, *Chandragoty Seeleewance Saranankare Unanso*, but who now calls himself *Rajaroo*, who says he wishes to make a statement, and requests it may be written down. He is told that what he says may be used in evidence against him; and says he knows that, but that he thinks it his duty to tell the whole of the truth for the information of the Government. He states:—When I was released from Kandy gaol in January last, I went to reside in Malay-street, in Kandy, when I fell in company with Ouvah Allogodde Punchiralle and Dowledenne Dinguale, of Walleepenne, who had also before been released from gaol, and proceeded, accompanied by them, to Balappe in Hewahette. I went to the house of Baloppe Wederale, and the Aratchy and the people of the village assembled, and decorated the house, and did homage to me as king, presenting me with cloths. Next morning the people went to Marasime, and had the house of Pehenerale decorated for my reception, and then conducted me thither; the Kandewelle Korale, accompanied by many of his people, came out to meet me, and on arriving there food was prepared for me, and the Korale presented me with a cloth. Whilst at the house of Pehenerale, the people came and prostrated themselves to me, and I took down the names of those persons who promised to furnish men when required; they are Hewehinne Korale and Gademone late Korales. Those are all I recollect now. I then went to a hall malpe in Kohoke Korle, and lodged at the house of the Aratchy, which was decorated; all the people wished to come, but I only received a few. From thence I went to Mataratto, where I staid one night. I then went to the house of Badgellarale, the Gang Arachy of Talleville in Ouvah, who decorated his house, and brought all his people, who prostrated to me, and promised me their support as king. From thence I was conducted to the house of Agathcombere Satamby, where the people came to me, prostrated, and promised their assistance. I was then conducted to Topitga, to the house of Koocowe Aratchy. I wished to go from there to Dimbalano Katerale, but the Topittya Aratchy dissuaded me, saying that the Katerale was in Government employ, and that I had better not, as he (the Aratchy) would bring all the Oude Kende people. I then went to the house of Pooagahamade Katadea in Badulla, to whom I had a letter of recommendation from his brother, who had been a fellow-prisoner in Kandy. Katadea was frightened, but brought a young man (whose name I do not recollect), who lives next door, who promised to bring the people of Wehillava to take Badulla, when I required, through the influence of the Durreya of Wehillooa, who was his relation. The next day I left Badulla for Nuwera Ellia; I stopped on my road at the house of Willemade Madoogeey Vidane in Ouvah, who promised to furnish me 1000 men when required, of which I was to give him five days' notice. On my arrival at Nuwera Ellia I went into an empty house in the bazaar. There the constable saw me, and spoke to me. Whilst there a drunken low countryman came and said, "You are the person who are making a disturbance in the country, calling yourself the king." Thereupon I immediately went away to Hewehette. On my way I met, near Pusilana, a prince who was searching for me; I knew him before; I had become acquainted with him in Kandy before I was confined in gaol; I had met him near the Katragam Dewale at Kandy; he then told me, "I am a prince, my elder brother aspires to the throne of Kandy." I answered, "How can you do this?" He replied, "I have spoken with all the people of the Kandyan provinces." He then went into the Dewale. When I met this prince near Pusilana his elder brother was with him. The elder speaks Telegoo and another language; the younger speaks a little Singalese also. The elder is the son of Medewahaal Deyo; the younger, the son of Gampola Wahala Ramat Chandere Deyo, and said they were related to the deposed king of Kandy as brothers-in-law. The elder was born in Kandy, and the younger on the coast, but they both came, several years ago, from the coast. They look like Malabars, but disguise their dress, sometimes going about like Coolies, and sometimes dressed as I am now (with turban, and a cloth over the shoulders, and one round the waist and legs). They took me to the place where the Coolies live, on Mr. Glenie's estate at Pusilawe. I stayed two days with them. The elder brother said that he had spoken to many of the Malay soldiers, and most of the Kandyans throughout the country, excepting in the Nuwera Ellia district, who had all promised him their assistance; and he recommended his younger brother to me to accompany him through the Nuwera Ellia district to the different villages. I promised to do so. From thence the young prince and I went to Dellotte, to the house of Salamby (the title of persons who used to prepare the Kandian king's bath). He decorated his house, and did honour due to a prince, and conducted us to the village of Happotile in Gandahaay, Korle in Hewahatte. We lodged at the Amblam, which was decorated for us by the people. Thence we went to the house of Pehenerale, where I had been before. The house was prepared for us, and we sat upon one seat to receive the people; but when Kandewelle Korale came he said, that as the prince was come more respect must be shown to him, and a separate house was prepared for him. A relation of Gallegodde Dessave, late Ratamahatmeya of Maturatte, came there and said, "This prince must not be allowed to be exposed to the people; you must go through the country as you have been directed, but he must be sent for security into Kandy." The prince was accordingly sent, accompanied by

Kalutoongey Appoohamy into Kandy. The young prince is about 25 years old, and has a little beard: the elder is 37 or 38 years old, and wears no beard, but is shaved. I sent a message by Kalutoongey Appoohamy to Gandahaay Korale, who was then in Kandy, to come immediately to me. The next day I went to Bolappe; Bolappe Aratchy wanted to keep me until the Korale came, but in the mean time Medegama Gang Aratchy came with his people, and conducted me to his village; then the people of Gonnagamme and Medegamma assembled, and promised that they would take one fort, viz., Badulla fort. Hence I went to the house of Gandahaay Korale, to see whether he was come, and on my way heard that he was not come, and remained in the jungle at Happotelle until the next day, when the Korale came to me in the jungle, and said to me, "I understand a prince has come; if you bring him with you, I will get you 1000 men." I accordingly went back to the Coolies lines, on Mr. Glenie's estate, where the young prince, when he left me, said he would go, and returned to the road near the house of Gandahaay Korale with the young prince, and sent word to the Korale that we were come. He came with about 10 people, and conducted us to his house, which he decorated. About two hours after the Korale's wife sent us word that the Korale had sent for us to betray us; which I told the prince in Telegoo, who went away, saying to me he would return to Pussilowe. I remained, and the Korale gave me every assistance. He asked me what had become of the prince; and I said I had sent him away. The Korale was vexed and very sorry. "Where did you send that writing to?" and he replied, "To Gallegodde late Ratamahatmeya." I then sent word to Mallodanda Ratamahatmeya to ask whether he was faithful to the British, by Kandewelle Koralle; and I then went to the house of Bogamowa Basnaik Nileme, and there Tellegonagedera brought me a message from the Malagande Ratamahatmeya to say, that all he wanted was that I should give him five days' notice before the attack was made on Kandy, to enable him to remove his property, and to communicate with the other chiefs. Korale told me that the Ratamahatmeya has ordered all the people of Hewahette not to molest me, and had ordered all the head men to prepare ammunition, and to hold themselves in readiness. At the Pansella, near Bogammowa Basnaik Nilemes, I saw the Kohoke Korale and the Aratchy, who promised assistance. The next day I went to Maturatte Pansella (Bodeman Kadde); the Koralle of Maturatte came there, and promised to furnish his people; next day the Koralle brought all his people to the Pansella to prostrate, which they did. Then I went to the house of the Koralle's father, Appoohamy Loko Koralle, accompanied by Happogey Vidane and the priest of that Pansella. The old Koralle said, "You need not have gone to my son; though I am not in office, I can get you all the people;" and he prostrated to me. At the Pansella all the Maturatte head men attended, and promised me their assistance. During the night I left for Pusilava, in company with Happogey Vidane and the Maturatte priest who wished to see the princes. I introduced them, and then went with Happogey Vidane to Oudenewyra to the house of Gangodde Gang Aratchy, who did me the usual honours. The Aratchy said, "The princes have spoken with all the people, and therefore you need not give yourself the trouble in this district; and he wrote a letter to Bagammowa Basnaik Nileme, Meegaswatti Koralle, Appoohamy Koralle, Kohoke Koralle, Makarupe Unanse, and Dimmeletotte Unanse, to inform that they were ready with their people to join them at any time with five days' notice, which letter was given to Happogey Vidane to deliver to them. It was said in the letter that 20,000 people were ready. Then I went to Yattenevere, where the priest Ereyagamme advised me not to go into Kandy. I sent a guide with me by another route into Harispattoo. Then I went into seven Korles, where I saw a Koralle (whose name I have forgotten). [On reading this statement over to the party, he says:]—"I now recollect the Koralle's name; it is Kolumbulla Moolla Korale," at a village in Pahaledolos Pattoo, to whom I said, "You have got 1000 men, will you give them to me?" which he promised to do. The next day I went to four Korles and sent a message by Kooroone Vidahn to Molligodde, to ask whether he was faithful to the British or not? I then received no answer. From the four Korles I returned through the seven Korles into Harispattoo, where I saw the Basnaik Nileme, who is at the head of Morope Dewale in Kotmale, who said he would not only furnish me with men himself but would speak to Gereyagamma Ratamahatmeya to do so also, and that he had to go to Kotmale to settle a dispute as to the boundary between Temple and Government lands. From thence I returned into the seven Korles, and went to the house of Wetowe Koralle, who told me he was ready to furnish his people whenever required. I returned to Happogodde Pansella in Harispattoo; there Tumpane Raterale's son came to me and promised to furnish men. Then I went again to the Aratchy's house in Oudenewera, with one Alle Kolleange Banda. Thence I went to Paleagamma Lekam, promised to get all the Moormen of that place. From there I went to Ounantone Satamby's house, who, with the rest of the people there, promised to assist. Next day I went to Bogammowe, Basnaik, Nelimes, and thence into Maturatte, to the village Welleyerea, as the people wished to see me. They all assembled at the Pansella and paid me homage. Thence I was conducted to the Old Koralle's Pansella, where I was protected for several days. I was then conducted to Maturatte Pansella, where I remained until Bogamowa Basnaik Nileme returned from Nuwere Ellia, where he had been as a witness. I went with him to Bogammowa, and there made acquaintance with a Rhodiah, called Girowe, who promised to get all the Rhodiabs of Ouwah and Wallepene, and to whom I gave a Topote cloth. I then went again the same day to Bogamowa Basnaik Nileme's house, and the Maturatte and Kohoke people wished me to send for the prince. I went and brought him. Then the people of those districts began to make gunpowder and balls. The prince and myself superintended the making of the gunpowder at the Basnaik's house, and at a place near his house where there was a flat stone, it being dry weather. When we were absent the work was superintended by the Korale and Aratchy. Two parrahs

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of gunpowder were made, and 800 balls were brought by Hippoola Punchiralle, and one Bunda, a nephew of the Basnaik's. This ammunition was ultimately taken into Arookwattee, and given in charge to Gallinde Aratchy. At this time, Ledepitya Mohottate, or Korale, of Kebeledooloopattoo in seven Korles, came there and said, "Molligodde says he has been appointed to a situation which is not worth as much as what the situation of Kalawitte Cangahn was worth in the king's time, and he was waiting for, or expecting a Kandyan king; and that he (Molligodde) would be ready to assist me, and I must therefore take courage, and that he would employ some of his people at Worakoppelle so as not to permit people to pass and repass, and that he would attack and destroy 'Kaigalle,' and come with all his people to Kandy, advising me to take care of myself in this part of the country." Then the prince and I were conducted to Happaware. Next day the Basnaik Nileme came there with the Wallegera people, who asked what I wanted them to do besides to go to war?—that they had plenty of guns and ammunition, and how much should they bring? I ordered those people to bring each man his gun, two bottles of powder, and balls: they said they would. Then we went to Banketty Aratchy's elder brother's house. The Banketty Aratchy was then absent: there we made about half a parrah of gunpowder. Then the Basnaik Nileme came and said, some people of Doombra expected us at the ferry. The powder was left at the house. On our road the Pannelle people crowded to us for the purpose of prostrating. At the ferry, on this side, we found Wenderowe Korale and many of his people waiting for us. He said his people could not assist me publicly, but would privately; that all the people of the Medesepattoo, he could employ to go either to Badulla or Kandy. Then I sent the prince to Kandy with the people that came from Ampitya. The prince puts up at the Katbragam Dewole in Kandy. The next day I returned to Happaware, and some of the people, with swords, accompanied me for my protection. From this, after waiting some days, I went to Wallepeuny with Koodevoidane, who carried a man's load of gunpowder; one Wederale carried a bundle of swords, and another bundle of powder was carried by Kunnardegolla Mohandiram. We went to Koodavidahn's house, who presented me with a sword, a white Dureya cloth, a silver-mounted chambo, a jacket, and another cloth. That night people came and conducted me to Palleegamma, when, on my arrival, I sent for Gallinde Aratchy, and delivered the ammunition to him as I have already stated, who gave it in charge of the Arookwattee people. Then I went to Arookwattee, where I made powder at the house of Garroowa, having received saltpetre and salt for that purpose from Kudoo Vidahne. When the powder was manufactured, which I delivered also to Gallinde Aratchy, I and two other persons then went to bring the weapons that were left at Happaware; we took the weapons and bullets and hid them in Illegolle Kelle jungle in Hewahette. From thence I went to Bogammowa, and people from Ouwah came to see me and tell me that all the Ouwah people were ready to assist me: their names are Pallewelle Pasingedere Appoohamy and Pallewelle Ekenaike Koolatonga Appoohamy; I promised to come to them. From Bogammowa I went to Panella; and on coming to the water course I sat down, and sent for Banketty Aratchy; they came with several others, bringing provisions; they asked when I intended to go to war? I did not answer them when they asked, "What shall we do about Andrewewe Korale?" I said, "We will go and seize him, and then we can see: I will offer him a situation and induce him to join us." Banketty Aratchy said, "If you call him to the place, I will kill him." I then told the people to assemble at Gomedeley to go to Andrewewe's, Pannelle people came to Gomedeley with several guns, and sent for me, I went to a certain field at Gomedeley and the people prostrated. They then asked me if I would go to Andrewewe's? I thought the people would kill him, and therefore refused. Then Banketty Aratchy said, "Some of my paddy and property is at Andrewewe's, and if you kill him let me have my property," and he gave me a man, called Ensallarowe Appoo, to attend upon me. That night I staid at Gomedeley. Gallinde Aratchy came there and said, "We wish to ascertain whether the Malay soldiers are ready to join us." Then I and four other persons went to Badulla, when I met on the road Arooma Dureya, who promised to furnish me 60 able young men. I went to the house of Poowakgodde Moole Basnaik Rale at Badulla, and told him to come with all his men and guns when required, which he consented to do. I went to the Malay lines but could not speak to the soldiers, as I had no opportunity of speaking to the Malay officer. I went to the village Milegastenne, intending to return the next day to the lines: on my way there I met Mr. Layard and another gentleman, and although I covered my face Mr. Layard recognized and spoke to me. I proceeded to Milegastenne to the house of Gammahay, which was decorated, and there I staid that night. I told the Gammahay to tell Rambepotte Dessawe that I would let him know the exact day I was coming to Badulla; and to be prepared with his people, which Gammahay promised to do. I never received any answer from Rambepotte Dessawe. I did not go back to Badulla to speak to the soldiers, as the river rose. The next day I left Milegastenne, and on my way back met Ballagolla Satamby, who took me to his house, where I remained two days. He promised me assistance at a river which was swollen; on my way I met a Malay escort which was taking ammunition to Badulla; I spoke with them in Malay, saying that I had been to Badulla on purpose to speak to them, and asked them where their corporal was? who was pointed out to me. I gave him some betel, and I said, "It is my intention to come to Badulla to war, will you join me?" The corporal asked, "What pay will you give us?" I asked one of the soldiers what pay they got now? He answered, "Some get 15, some 20 dollars, out of which we have to pay for our clothing, &c., leaving us about eight dollars, which is insufficient." I promised to pay each soldier 5/ per month, and the officers in proportion. The soldiers said, "There is only one gun in Badulla, and that we can overturn, and only one gentleman in the fort attached to the troop." There were, as I remember, about eight Malays. From thence I proceeded to the house of Wellemœde Vidane, who immediately supplied me with rice, and conducted one

to the river, which I crossed, and went to the house of Pollervelle Jasingidere Appoohamy. I sent for Ekenaike Appoohamy, and then two persons decorated the house and collected about 30 people, who did me the usual honour. The next day I arrived at Galliride Aratchy's, and delivered seven cloths to him to take charge of for me. Immediately Wedderale's house was provided for me, and the granary for my people. Next night I was conducted to Palloegamma, and on the way stopped at Arookwatta, where I took my rice and proceeded to the house of Haby Vidane, at Gornedeley. From this time the people of Wallepenny began to come to me. I returned to Arookwatta, and ordered the head men of Wallepenny to meet there on a certain day. About two-thirds of Andrew Korale's people came; most of the people of Ambangwelle, in all about 500 people, assembled on two occasions. Here I was informed that Andrewewe had been making an attempt to seize me; then I gave 10 swords to 10 people, and took one myself, and said, I was ready to meet him. Several of the people said Andrewewe must be seized, and some offered to shoot him; but I told them not, and said if they killed him I would give information. Ambangwelle people said, "Don't go to seize him without us." I asked, "Why?" They said, "Because he is a strong man, and has assistance." I thought if I took any of these people they would kill Andrewewe, and therefore I went and took with me Hewehette people. I left the Hewehette people near Andrewewe's, and went myself, with Ulpangey Dingirale as a guide, to Ambangwelle. On my road I called at the Dessave's, and when I entered the compound, the Dessave's messenger asked who I was? I answered, "Don't ask me who I am; I am a servant on the coffee estate." Then Ulpangey Dingirale said, "I will tell the Dessave you are here," and he told the messenger who I was who went into the house. I stood in the compound, and the Dessave came as far as the Pilah and looked at me, and a messenger came to me and said, "The Dessave says why did you come alone? Andrewewe is a bad man, and I know all the Wallepenny people will join you, but if you seize him, seize me also;" meaning that when I went to war I should make a prisoner of him, as if he was against me, whilst he was on my side. Then I said to the Dessave, "You will see what I will do to Andrewewe to-night." I then went to Tippogolle Ratterale. Tippogolle Ratterale and others were ready to receive me. The Ratterale and Borrogdle Gang Etterale communicated my arrival to all the people; Windewewe Unnanse was also there. In about an hour all the people assembled. Borrogde Koralle did not come, but his son came; the whole of the house was decorated. Tippogolle Ratterale presented me with two cloths, worth together 6/., one with a gold border. Borrogdle gang Etterale presented me with the cloth I have on now (a spotted red cloth). I gave the Ratterale the two cloths to take care of for me. Then I said to Rasmigolle Aratchy, "People from seven districts have come to seize Andrewewe, therefore you must bring some Ambangwelle people to help us." He said as Andrewewe is seized or killed, let me know, and I will bring all my people to Warrellepattenna to go to Nuwera Ellia, and if you cannot seize him, go to Warrellepattenna and wait for me." Then most of the people wished to accompany me to Andrewewe's; but I selected a few, and desired the others to remain. I only took such people as I wanted to carry the rice. Tippogolle Ratterale and Rasmagolle Aratchy said, "We are brothers-in-law, and we will supply you with sufficient ammunition to enable you to take Neura Ellia and Badulla." I had been to Galinde Koralle's on the Singalese New Year's-day (11 April), and on the occasion of which I am now speaking Rasmagolle said, "I have informed the agent that you were at Gallinde Korale's on New Year's-day, and the Dessave and Andrewewe have also reported to him the same circumstance." He added, "I did all this not faithfully to the British Government, but am ready to accompany you wherever you require me." There were collected at the Ratterale's on this occasion about 300 people, who all came and prostrated to me, and were ready to go to war. I then went with the people I had selected to the Amblam, near the Korundasya, where I had left the Hewette people, about 40 of whom I had brought with me, and the remainder, consisting of six or eight people, had joined us on the road. About five Singalese hours before sunrise, we got to the Amblam. The Ambangwelle people said, "We must not eat our rice till Andrewewe is seized;" but I said, "Take your rice," which we did. About two hours before sunrise we started for Andrewewe's. I had sent a man the day before to see if Andrewewe was at home, who never returned. When we got to Andrewewe's it was about one hour before sunrise. I placed some people round the house, and I sat down on a flat stone in the compound on which a white cloth had been spread. After day-break I spoke to the people who were in the house; there was a low countryman (Gooronanse) and some Kandyans in the house. I asked for the Korale. Gooronanse answered me, "300 or 400 people, with a king, were coming to seize him, and he ran off." I inquired for his family, and they came to me from another house, bowing to me, and begging me not to kill them. I called them near, and asked Andrewewe's wife where the Korale was? She told me he had run away when he got intelligence that people were coming to kill him and burn his house. I said, "I was told Andrewewe wanted to seize me, and therefore I came to see and speak to him, and not with any intention of injuring him." I then desired the people to return to their villages, and I returned to Koorundo-oya, taking with me my own people. A man who was with me, whom the people called a Malay, but who is an active smart man from Ouvah (who had brought me a letter from Halpe Koralle, his brother the Mohottale, Ellewewe Koralle, Bibelle Ratterale, and Weleweya Koralle, and some other head men, eight in number, promising me assistance for the war), remained behind with Ulpangey Dingirale. This Ouvah man was with me for 20 days, and is still in my service, and the day I was apprehended I had sent him into seven korles. Then Andrewewe's wife sent a message to me, that she was preparing rice for me, but I sent word I did not want it. A man from Andrewewe's came and told me that messengers from the Dessave had been there and frightened these two people, saying, they would seize them, and another man came and told

CEYLON.

me that the Dessave was very angry that I staid there until the morning, for that if I had done my business properly I should have done it in the night. When the Ouvah man rejoined me, we proceeded to Hewehette that day; and at a village which, I think, is called Pallewelle, I desired the Aratchy to provide rice for my people, about 30 in number; which he did. We then crossed a river, when I met a man with a gun, who proved to be the Aratchy's brother-in-law, whom I seized, for coming before me with a gun, but at the river I dismissed him with his gun, and all the people. Then I went to Bogamowa and staid there one night. From thence I went to Oudewatte, and thence to Kimbolganlotte, which is on the borders of Doomberra, on this side of the river. I crossed the river, and sent off one of the people to tell the Korale of Wenderowe and Pitty Godde people of my arrival, that they should come and meet me; next morning about 40 men from Pitty Godde came, among others the brother of the Korale of Wenderowe, and brought two men, with a load of provisions each for me. When I had seen them I permitted them to return to their villages. About an hour after dark the people of Wedeaspattoo and the Gang Aratchy came and took rice across the river; I then returned to this side of the river, having appointed a day when I would be with them. The next day I came to Arookwattee, and there I learnt that the affair at Andrewewe's had been brought to the notice of the agent; about five hours after a person came to me, saying, he had a message from the Dessave, that Andrewewe Korale had communicated to the agent what had taken place, and that the Dessave had told the agent that nothing of the kind could happen without his knowledge, and that it was all nonsense, and that until he had satisfied the agent of that, I should keep quiet. I told him, thereupon, to tell the Dessave that I would. I then ordered all the people of that Aratchy Wassam to come to me immediately with their guns; they came, and with them I went to Panella, through Banketty Aratchy. I sent for all the people, giving him a painted stick to show to the people. Banketty Aratchy prepared rice for me, and Megamma Aratchy for the people. There were assembled about 260 people. Those Aratchys, said "Koomalgamoa Aratchy is a friend of Andrewewe's, and you must send for him;" which I did by Wendewewe Unanse; he came, bringing 30 of his people, and all prostrated. I said to him, "you must get ready immediately to go to war." The people said, "we have now our paddy in our threshing-floors, but to-morrow we will go with you." Banketty Aratchy brought me his two guns, and one of them he wished to take home, which I allowed; and the other I gave to one of my people; then I dismissed all the people, telling them to be ready the next evening. I then desired Banketty Aratchy to conduct me to Terepaha village, one of the people whom I wished to take with me, said, he could not go, as his child was ill; I told him, that if he did not hold his tongue I would hang him. On our way to Terepaha, Banketty Aratchy ran forward and brought a gun belonging to Gomedeleay Hamy Vidane. I took the gun from him and gave it to another, and gave him a push, saying, "Go to Terepaha; I must take an account of all the guns, and distribute them among the people." He then ran towards Terepaha, but never came back, and I did not see him again; then I did not go to Terepaha, thinking the Andrewewe's affair was public, but returned to Arookwattee, where I gave each man his gun and dismissed the people. I thought all this would cause a warrant to be issued for my apprehension, and therefore crossed into Doomberra. The next day I swam across the river into Doomberra, it being swollen, and Wendewewe Korale, with 20 of his people, came and helped my people to cross. That night I lodged at the house of Ambe-gaspitty Laham, and Wendewewe Korale, his son, and the Lakam rendered me assistance. From thence I went to Medeaspattoo; on my way I met a son of Katcheneyeke Deyo, called Newera Kalawe Mohattale, who was searching for me; Katcheneyeke Deyo is a brother-in-law of the deposed king, but not one of the pretenders. The Mohattale said he could get me a million of people, and all he wanted was one of my people to accompany him. I said, "I will give you an answer to-morrow morning, I am now going to Medeaspattoo." I went there, and about 30 people came to meet me, and there I lodged that night, where a house was decorated for me; then Wedekanse promised to get the people of 32 villages, of Panea people, to join me; next morning I sent for the Korale and all his people, whom my messenger met on the road coming to me at a hut at Belewattee, and I said, "Korale, you must assemble your people immediately." He replied, "I will get all my people to-morrow morning, and if you want to make war, do it immediately, as there is a warrant out against me for 30L, and I want the thing to be done before I am caught." Next day I went to Pitty Godde, and lodged there, sending for two Nilemes of Madoogalle to come to me; they came immediately. I asked them whether they could get all the people of Doomberra and Gampoha for me; they promised to do so, and said, that as soon as I commenced the war they would cause the Ratterales of Doomberra to make the attack on Kandy. Bamberebedde Gang Aratchy also came to me there, and told me, one Bander, a constable, with some Peons, was searching for me, I had better conceal myself. I said, "I don't care for those people;" he went away. On this I sent a message to the Medeaspattoo Korale not to bring his people on the day I had appointed; I also dismissed the two Nilemes. Next morning I went to Madoogalle Nileme's house, but stopped near the house, and sent for him. The two Nilemes came and took me to their house, and prepared for me an up-stair room, decorating it and spreading cloths for me to walk on; from there I despatched the Ouvah man and a priest, with one Mohettalle, to the seven korles, to bring within 15 days the people of seven korles, Haripattoo, and Matele; that priest had come to me from seven korles to say, that all the people there were ready to join me. From the Nileme's house I returned towards Wallepanny to commence again, in case no warrant had been issued against me. On coming to Kehelle, I saw Gandahay Korale and some Malays, who were drinking coffee; I knew they were waiting to seize me. After some conversation with the korale, in which I upbraided him for his treachery, I and my followers were seized. I have now only to add that when I was in gaol I was apprehended for no cause and without a

warrant, and I then told Government the state of the country, but they would not believe me, but believed false witnesses; therefore as soon as I was released, I determined to convince them that I was right, and for that purpose joined myself to the disaffected parties, that by assisting them I might convince the Government that all the Kandyan are rebels. My purpose was not to tell anything until I was apprehended; for if I had, I was sure the Government would not have believed me: my apprehension will not stop the rebellion unless the two princes are seized. If the Government wish to keep Kandy, they should place cannon and lights at the four entrances, with a guard at each of English soldiers, but not soldiers of any other nation, and they should call in all the guns which the Kandyans possess, and prevent the sale of gunpowder and flints, and lastly, not to trust a Kandyan of any kind.

Signed (in Singalese) by the prisoner.

The foregoing statement was freely and voluntarily made by the party whose name is above-written, and having been interpreted and read over to him was signed in our presence.

(Signed) C. KELSON, Deputy Judge.
H. C. SELBY.

Interpreted by me,
(Signed) W. PERERA.

1st September, 1843.—In the District Court of Nuwera Ellia.—Before Captain C. Kelson, Deputy Judge.

The Queen

versus

1. Mettewelle Aya Basnaïke Nileme.
2. Polweatte Aratchy.
3. Happegey Vidahna.
4. Wendewewe Henrale (late a priest).
5. Garasamana, or Coppe Watte Banda.

The prisoners are warned that anything they may wish to state before the order for committal issues will be taken down; but that such statement must be voluntary, and that it will be evidence against them.

1st prisoner, *Basnaïke Nileme*, says, "I have nothing to state; that person came and stayed and ate at my house."

2nd prisoner, *Aratchy*.—"On a certain day, morning of the 5th June, in coming from my chana I met several persons on the road, viz. (seven names), and others with the person calling himself 'king,' who desired me to accompany him to Ambanywelle. I went as far as the Koorunda Oya, there I remained. The Rajoor and some others went towards Walle-panny. After dark we went to Kalle Komdere, to the house of Goddeyedere Vidahn; I said to him, 'We are going to the house of Andrewewe Koralle, is there rice or anything prepared for us there?' Vidahn said, 'Don't talk so loud, the Korale does not know that you are going there; rice is prepared for you here.' I said, 'Your rice is no good, and so I cannot come.' Before I went away, I told Happegey Vidahn to tell Andrewewe Koralle that I had done so."

(Signed) W. PERERA, Interpreter.

3rd prisoner.—"On Monday the 5th of June I went to my uncle Egodgedere Vidahn; about 10 hours after some people came there. I went out and asked who they were; they said, 'We came to Wallupany for a certain purpose.' Among them was a man they called 'Java,' with a sword. Java said to me, 'Do you know there is the king?' I said, 'I have heard so, but I have not seen him.' Java said, 'He is come here now, are you faithful to him?' I said, 'Yes.' He said, 'Is this your relations' house, and are they also faithful?' I said, 'Yes.' The Java said he had something private to say. 'What is it,' I said; he said, 'The rebellion is come to seize Andrewewe Koralle, don't allow any one to tell him.' I, however, went out, and told one Kaloo Nayde, and then returned to my uncle's. I then went with those people to Tippoogodde Amblam, and we remained there two or three hours, when the Rajoor and others came there. They took rice, and then went as far as the Rattekandora Oya, when the day broke, and then most part of the people went away. The king and a few others, of whom I was one, went to the house of Andrewewe Koralle. The Rajaroo asked if the Koralle was at home, the people there said he was not; he desired them to call him, but they said nobody knew where he was; then we went to Wattermoolle Amblam, thence to the Kooranda Oya. A good many people assembled there. Some asked 'where the Rajaroo was going;' he replied, 'We came to seize Andrewewe Koralle, but we failed, and so we are going.' We went thence to Hewchette, crossing the Belhoul Oya, and then the Rajaroo went on, and I returned home."

(Signed) W. PERERA, Interpreter.

4th prisoner (late a priest).—"I have nothing to say against the charge."

(Signed) W. PERERA, Interpreter.

In the District Court of Nuwera Ellia, June 16, 1843.—Before Captain C. Kelson, Deputy Judge, and Assessors.

1st. Tippoijolle Ratterole, and 12 others, charged.

The 1st prisoner (*Tippoijolle Ratterole*) says, "The person calling himself a king came to me; I put up the cloths for the purpose of gaining time to detain him."

CEYLON.
—

The 3rd and 4th prisoners say, "They did not see the king, or attend the meeting; they were going, when they heard he had gone away."

All the other prisoners admit being at the meeting, because they were afraid to absent themselves on account of the head men.

Captain Kelson's examination continued.

Various articles produced by the witnesses were handed over to the Acting Deputy Queen's Advocate, who gave them to the Secretary of the District Court.

W. Perera, Mohondiran Interpreter of the District Court of Nuwera Ellia.—I interpreted the statements made by the prisoners in Court; and otherwise witness acknowledges his signature.

[Adjourned.]

Wednesday, 13th September.—Mr. *Wilmot*, for prisoners, addresses the jury.

Verdict.—The 1st prisoner guilty by his own confession, the others not guilty.

Sentence.—That the 1st prisoner be drawn to the place of execution on Wednesday, the 15th November next, and there hanged by the neck till dead.

(True Copies.)

P. ANSTRUTHER, Colonial Secretary.

Despatch from the Secretary of State.

(No. 105.)

COPY of a DESPATCH from Lord STANLEY to Governor Sir COLIN CAMPBELL.

SIR,

Downing-street, Dec. 17, 1843.

I HAVE the honour to acknowledge the receipt of your Despatch of the 21st of October last, No. 187, reporting the discovery of seditious proceedings on the part of some of the native population of Ceylon, the steps which you had taken for their suppression, and the commutation for 14 years' imprisonment, with hard labour, of the sentence of death pronounced against one individual convicted of high treason.

I have to convey to you my approval of the course which you adopted in this matter, and of your commutation of the sentence pronounced on the convict.

Sir Colin Campbell,
&c. &c.

I have, &c.
(Signed) STANLEY.

No. 2.

No. 2.

STATEMENT of ARMS and AMMUNITION Imported in the Years 1843, 1844, and 1845, enclosed in Sir COLIN CAMPBELL's Despatch, No. 19, March 13, 1846.

	Cutlasses and Swords.		Guns and Pistols.		Gunpowder.		Shot.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
1843	157	£. s. d. 10 0 6	6,075	£. s. d. 4,595 13 6	37,353	lbs. £. s. d. 1,867 13 0	511	grs. lbs. £. s. d. 0 14 551 16 6
1844	7	7 15 9	3,163	2,463 6 11	16,033	801 13 0	322	3 7 396 5 10
1845	..	..	3,720	3,011 18 0	31,868½	1,593 8 6	278	2 20 316 13 0
1846 (to March 6)	..	..	583	..	712	..	..	..
Total . .	164	17 16 3	13,521	10,070 18 5	85,966½	4,662 14 6	1,112	2 13 1,264 15 4

Custom House, Colombo,
January 3, 1846.

(Signed)

F. SAUNDERS, Collector.
F. A. NAPIER, Comptroller.

CEYLON.

No. 3.

No. 3.

EXTRACT of a REPORT from C. A. WOOD, Esq., dated 5th July, 1848.

(Referred to at page 107.)

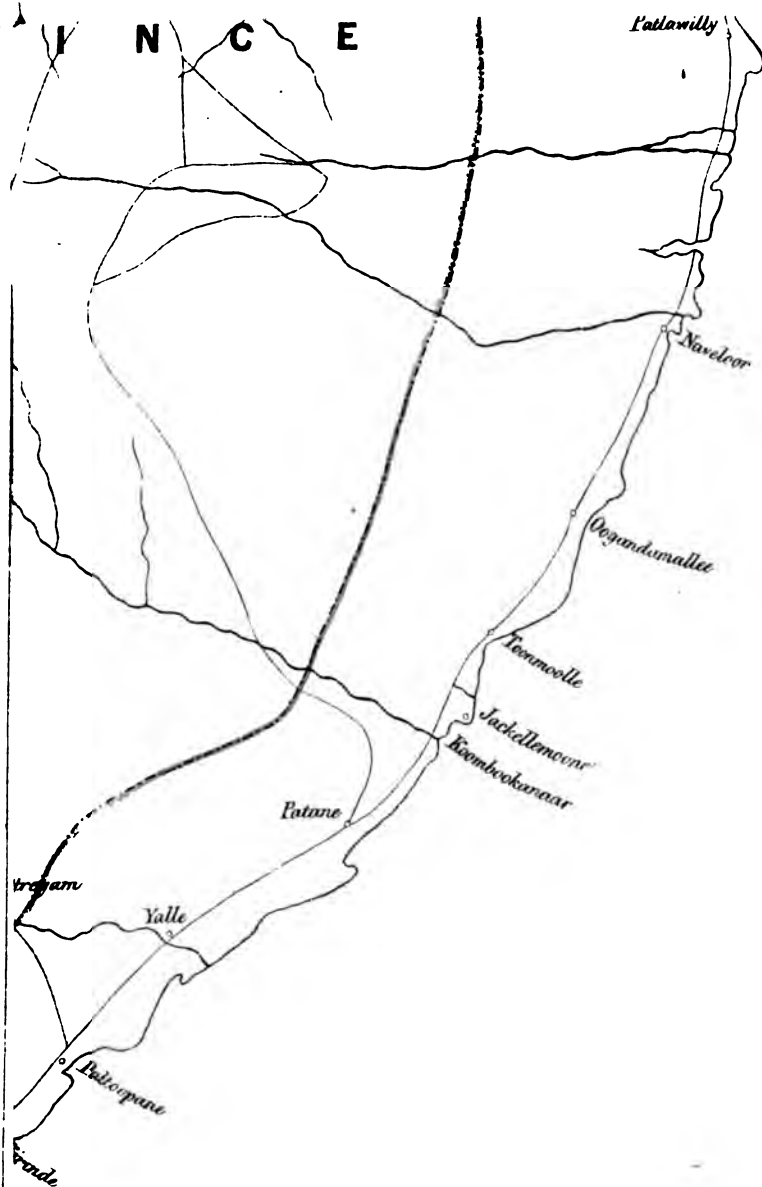
"THE Ordinance, No. 5, for registering and licensing certain traders in Colombo, Kandy, and Galle, prohibits persons keeping 'any wholesale or retail store-shop, or boutique, which shall be of the annual value of 5*l.* sterling or upwards,' without first taking out a license, to be renewed annually, and liable to a stamp duty of 1*l.* The value of the premises is to be ascertained by a Committee, consisting of not more than five nor less than three householders appointed by the Governor, and remunerated as he may think proper. Lord Torrington explains, that the revenue derived from these licenses is to be expended in the towns where the licensed premises are situate; but, notwithstanding, I should be afraid that this Ordinance will cause dissatisfaction.

It will be observed, that the tax is imposed upon one class of traders exclusively, and of these many may seek to evade it, declaring their premises under the value of 5*l.* The question of value the Committee will determine, and they will, in fact, exercise the power of taxing the inhabitants of these towns. But the Committee, who are to be paid, are irresponsible, and from their decision there is no appeal. It would, I think, have been better to have assigned the duties which they will have to perform, either to an unpaid Committee of householders or to a paid Government officer, who would be responsible. The Governor, however, has stated strong reasons for taxing a class of merchants, who, he describes as making large profits, and carrying them away without fairly contributing to the public institutions of the island; and while strongly recommending the confirmation of this Ordinance he has also stated, that the opinions of several of the most intelligent native residents encourage him to make that recommendation. I am, therefore, reluctant to oppose the confirmation of this law; but upon the whole, I would suggest, that no immediate step for that purpose should be taken, and that a certain time, perhaps six months from this date, should be allowed to intervene before the Ordinance is submitted to the Queen, in order not to preclude the consideration of any well-founded complaint, which the inhabitants may have made against this measure since it came into operation in April last. Meanwhile, it will not, I apprehend, be necessary to address to the Governor any communication on the subject."

Transmitted with Lord Torrington's Dispatch.

Nº 143 . . Aug^r 14th. 1848.

W.D.B.



Transmitted with Lord Torrington's Dispatch.

Nº 143 .. Aug^t. 14th. 1848.

W.D.B.

Sketch
OF THE
COUNTRY ROUND KANDY.

LONDON :

PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

1849.

[-1056]

CAPE OF GOOD HOPE.

CORRESPONDENCE

WITH THE

GOVERNOR OF THE CAPE OF GOOD HOPE,

RELATIVE TO THE STATE OF THE

KAFIR TRIBES

ON

THE EASTERN FRONTIER OF THE COLONY.

(In continuation of Papers presented July 1848.)

Presented to both Houses of Parliament by Command of Her Majesty.

3rd MAY, 1849.

LONDON:

PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

1849.

10567

SCHEDULE.

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CORRESPONDENCE

RELATIVE TO

THE STATE OF THE KAFIR TRIBES.

CAPE OF GOOD
HOPE.

No. 1.

(No. 51.)

No. 1.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to Earl GREY.

Government House, Cape of Good Hope,
March 23, 1848.

Answered, Confidential, June 6, 1848, page 42. No. 168, Aug. 3, page 42.

MY LORD,

(Received May 23, 1848.)

ADVERTING to my predecessor Sir Henry Pottinger's Despatch, No. 135, of the 20th September, 1847, transmitting, for your Lordship's information, his Finance Minute of the 3rd July, 1847, together with the estimates of expenditure for the year 1848, I have already reported to your Lordship that certain difficulties have arisen relative to the appointment of additional resident magistrates in the country districts, with increased judicial powers.

Taking into consideration, however, the absolute necessity which exists for some magisterial superintendence in the districts already provided, as well as the importance of appointing additional Civil Commissioners, I came to the conclusion that it would be advisable, pending your Lordship's decision on the three Ordinances* transmitted in my Despatch No. 35, of the 13th March, to appoint resident magistrates under the present law for the districts in question, and Civil Commissioners of those divisions in which the urgency of the business required it.

I have the honour to enclose a Schedule of the appointments which have accordingly been made, together with copies of two proclamations creating twelve new Courts of resident magistrates in the districts specified therein, and forming into five divisions for matters connected with the functions of Civil Commissioners, certain portions of the colony which were previously attached for these purposes to other divisions; also copies of two Government Notices, appointing resident magistrates and Civil Commissioners to the new Courts and divisions respectively so created.

Encl. 1, page 8.

Nos. 2 and 3, pp. 10 and 11.

Nos. 4 and 5, p. 12.

In my Despatches Nos. 1† and 12‡ I informed your Lordship that I had allotted and proclaimed portions of the new territory, lately included within the colonial boundary, into two new divisions, and that I had appointed Mr. Calderwood the Civil Commissioner to Victoria, and Mr. Chase to Albert. In Sir Henry Pottinger's Despatch already referred to, he informed your Lordship that provision had been made in the estimates of 1848 for the necessary expenditure for eight additional seats of magistracy, and five new divisions for Civil Commissioners, but, for the reasons stated in that Despatch, he did not intend to appoint more than six additional resident magistrates, leaving the funds provided for the other two to meet the charges of the British resident in Griqualand, and the country occupied by the emigrant Boers beyond the Orange River boundary of the colony, in case your Lordship should decide that those charges were not to be defrayed from the Imperial Treasury.

I have, however, found it necessary for the public good to take upon myself

- * Viz. 1. To amend the Law regarding the appointment to certain offices within the Supreme Court.
- 2. To amend the Law relating to the Apprehension and Trial of Criminals, and the Prosecution of Crimes.
- 3. To amend the Law relating to Grand and Petit Juries.

† Page 31, Papers relative to the Kafir Tribes, presented to both Houses of Parliament, by Command, July, 1848.

‡ Page 55, *ib.*

B

CAPE OF GOOD
HOPE.

the responsibility of exceeding the proposals made to your Lordship by Sir H. Pottinger, which course has been rendered necessary by the arrangements consequent upon the termination of the Kafir war, and the annexation of large tracts of the colony, and having, by my Despatch No. 31½,* of the 11th instant, explained to your Lordship that the Colonial Treasury is able to provide the funds necessary for defraying all the expenses incidental to my policy in that country, without resorting to imperial funds for any portion of it, your Lordship will readily perceive that no practical inconvenience will arise by my expending upon new colonial establishments the money which Sir Henry Pottinger had intended, if necessary, to apply to the public establishments beyond the Orange River.

Without harassing your Lordship with a recapitulation of the details of my measure in respect to the new appointments of Civil Commissioners and resident magistrates, which can be more conveniently gathered from the accompanying Schedule, the result is, that I have, pending your Lordship's instructions, authorised an expenditure of about 4568*l.* per annum beyond the amount provided for these services by the Legislative Council, and in addition to that sum, a further expense will be incurred during the year and in 1849, not short of 4000*l.*, in the employment of contract surveyors to survey the new territories of Victoria and Albert.

My Despatch No. 50 of this date will also communicate to your Lordship that the addition to the strength of the Customs Department for conducting the public business at the new ports which I have opened for shipping and mercantile purposes, will create a further increase, at present unsanctioned by your Lordship or by the vote of the Legislative Council, to the amount of about 1000*l.* per annum; and I have also relieved permanently, from the 1st of January of this year, by a transfer to colonial funds, the British Treasury of a charge of 11,000*l.* a-year for the pay and maintenance of the Kafir police. The present charge for that body is about 22,000*l.* a-year, but your Lordship will learn by a Despatch which I shall transmit to you in a few days, that I am about to make arrangements to relieve the imperial chest of that portion of it which it now defrays.

In several other respects unexpected charges must also be incurred by the Colonial Treasury upon the close of the Kafir war, which I am forced to undertake upon my own responsibility, being unwilling to allow the injury to the public service which must inevitably be caused by a previous reference to your Lordship.

Among the most important of these new undertakings, which, though, I trust, it will prove permanently beneficial, must necessarily be attended with some present expense to the colony, is the introduction into districts, sufficiently removed from the eastern frontier, of Kafir youths, to be apprenticed to the agricultural and other inhabitants of those districts. The general advantages which I expect to result from this arrangement, are fully stated in the proclamation, a copy of which, together with the form of indenture fixed upon as the most eligible, I have the honour to enclose for your Lordship's information.

To be completely successful in this endeavour it is obvious that the number of apprentices thus introduced into the colony must be considerable, and I am happy to inform your Lordship that there is at present every appearance of its being so.

In order, however, to carry out these views, it is necessary that the youths should be conveyed to considerable distances for delivery to the resident magistrates, whose duty it will be to apprentice them to the inhabitants most likely to prove kind and humane employers.

In consequence of the several measures thus detailed, and others to which I have adverted, an expense of about 23,000*l.* will probably be incurred in the present year in addition to the charge of 179,620*l.* voted by the Council for the establishments of the colony during the year; but your Lordship may depend upon my assurance, that economy shall be most carefully and constantly studied in all my arrangements, that no expense shall be incurred which is not absolutely necessary for promoting the interests of the colony, and that everything shall be duly reported to your Lordship.

* Page 65, Papers relative to the Kafir Tribes, presented to both Houses of Parliament, by Command, July, 1848.

I shall request from the Legislative Council, at their meeting in May next, a supplementary vote for the amount required for 1848, whilst that for 1849, rendered necessary by the same causes, will of course be included in the regular estimate for that year. I shall feel no difficulty in asking the Council for such a vote, as I shall not only be able to show that this additional expenditure is proposed, with a view to the best interests of the colony, and for services performed within its boundary, but that it can safely be undertaken without any fear that it will create an obstacle in meeting other wants, which it is equally necessary for the Government to satisfy, inasmuch as the actual revenue is fully sufficient to meet all these demands upon it.

I should have felt some hesitation in proposing so large an additional outlay, were it not apparent to me that the surplus revenue now in hand, so far from being a fund to which no future addition can be expected to be made, is in reality steadily increasing, and will afford the means for undertaking further improvements. The increase of trade and commerce which has taken place for some few years past, owing to the facilities which have from time to time been afforded, and which will be still further promoted by the opening of new ports and harbours in the colony, is of course annually adding to the amount of the Customs' collections, and which are still further increased by the encouragement held out to shipping to resort to the Cape by that judicious measure, the abolition of port dues in 1844, which, without exaggerating its importance, may safely be reckoned equivalent to an increase of our exports to the amount of a third of a million sterling annually, so large has been the quantity of produce purchased, and of expense incurred for other objects by the additional shipping calling at Table Bay, and the other harbours of the colony. The facilities now afforded to internal communication (the benefits of which are daily becoming more apparent and appreciated) by means of good roads, which are rapidly extending in every part of the colony, cannot be without their advantages to the Colonial Treasury, and the sale of lands in the new territory will also prove a very fruitful source of riches. The settlers in the eastern districts are very desirous of becoming proprietors, by purchase, of a considerable portion of the tracts of country lately added to the colony, and having, generally speaking, acquired large fortunes by the war expenditure, they are prepared to pay large prices for these lands. The surveys of them are proceeding as rapidly as the very insufficient available means in the colony will permit, and I hope, ere long, to expose some tracts to public competition.

It is my intention to propose to your Lordship, as soon as I see how they sell, and what prices they realize, to deposit, as a reserve fund in the Colonial Treasury, a certain proportion of the proceeds. This I would strongly recommend, as a measure of precaution, which is very necessary under the peculiar circumstances of the case, because, in consequence of the strong disposition now manifested to purchase lands in the district alluded to, it is probable that the whole of the disposable lands will be sold in a very few years; and, as the proceeds of these sales must, for a time, form the principal revenue derived from these districts, great inconvenience might arise by the hasty expenditure of funds, the disposal of which ought to be the work of several years. The measure is also to be recommended as a means of promoting emigration on a large scale from the United Kingdom to the very spots where settlers are so much required, and where they might be at once located in villages to be formed for that purpose. These suggestions I now venture to throw out for your Lordship's consideration, but I propose to take an early opportunity of explaining my views upon them more in detail in a future Despatch.

All the advantages above enumerated will be turned to the best account by careful and prudent management, which your Lordship may rely upon my employing in carrying out the arrangements I have now the honour to report.

Taking into consideration, therefore, the great importance of these appointments and expenditure, and the absolute necessity of providing for the due administration of justice in the country districts, particularly in those where the late war has given rise to an amount of crime, vagrancy, and disorganization, which it is desirable immediately to suppress, and relying upon the improved and improving resources of the colony, I feel great satisfaction in being able to report to your Lordship, that I can thus provide entirely from Colonial funds for the expenses of the various arrangements growing out of the Kafir

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war. Your Lordship's approbation and authority for the expenditure to which I have referred, and for the appointments enumerated in the accompanying Schedule, I have now the honour to solicit.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c.

(Signed) H. G. SMITH.

Encl. 1 in No. 1.

Enclosure 1 in No. 1.

SCHEDULE of the APPOINTMENTS referred to in His Excellency Sir H. G. W. SMITH's Despatch to the Right Honourable Earl GREY, No. 51, dated March 23, 1848.

THE following offices were intended to have been made, created, and filled up by the Right Honourable Sir Henry Pottinger, viz.:—

Civil Commissioners and Clerks to Civil Commissioners.

K. N. van Breda.—Appointed resident magistrate at the Paarl, on the 15th October, 1846, at 250*l.* per annum. To be increased to 300*l.*, in consideration of his holding both the offices of Civil Commissioner and resident magistrate.

J. L. Truter.—Appointed clerk of the peace at the Paarl, on the 15th February, 1839, with a salary of 100*l.* per annum. That situation being discontinued, he has been appointed clerk to the Civil Commissioner, with a salary of 125*l.* per annum.

W. F. Bergh.—Appointed resident magistrate at Malmesbury, on the 1st September, 1846, with a salary of 250*l.* per annum. To be increased to 300*l.*, in consideration of his holding both the offices of Civil Commissioner and resident magistrate.

P. J. Truter, P. Son.—Was appointed clerk to the clerk of the peace in Cape Town, on the 5th of September, 1838, with a salary of 100*l.* per annum. That office having been abolished he is now appointed as clerk to the Civil Commissioner of Malmesbury, salary 125*l.* per annum.

W. M. Mackay.—Appointed resident magistrate at Caledon, on the 1st September, 1846, with a salary of 250*l.*, and 50*l.* from his pension of 166*l.* 13*s.* 4*d.*, until his official income shall amount to 400*l.* His salary to be increased to 300*l.*, in consideration of his holding both the offices of Civil Commissioner and resident magistrate.

J. G. Borchers.—Appointed clerk of the peace at Wynberg, on the 25th February, 1839, with a salary of 100*l.* per annum. That situation being discontinued, he has been appointed clerk to the Civil Commissioner at Caledon, salary 125*l.* per annum.

Captain Lloyd.—Has held the office of resident magistrate at Port Elizabeth since the 1st June, 1839, at a salary of 300*l.* per annum. He is now appointed to hold also the office of Civil Commissioner, but without any increase of salary.

E. Philpott.—Appointed clerk to the Civil Commissioner of Port Elizabeth, with a salary of 125*l.* per annum. His first appointment in the public service was on the 1st July, 1837, as clerk to the resident magistrate of Port Elizabeth, which he retained until the 1st of April, 1842. He is the son of the ordnance storekeeper at Port Elizabeth, and has been well recommended as qualified.

M. J. H. Borchers.—Has held the office of resident justice of the peace at Fort Beaufort since the 15th November, 1839, at a salary of 300*l.* per annum. The office of resident justice of the peace having been abolished he is now appointed to hold also the office of Civil Commissioner and resident magistrate of Fort Beaufort, but without any increase of salary.

P. I. Beaurain.—Was temporarily employed in the Customs and other public departments. He is now appointed clerk to the Civil Commissioner of Fort Beaufort, with a salary of 125*l.* per annum, and has been well recommended as qualified.

J. Walker.—Was appointed clerk to the resident magistrate at Colesberg, on the 1st January, 1842, with a salary of 100*l.* per annum. He is now promoted to be clerk to the Civil Commissioner of that place, with a salary of 125*l.*

J. Walker.—Appointed teacher in the Government school at Cradock, on the 1st June, 1841, with a salary of 100*l.* He is now promoted to be clerk to the Civil Commissioner of that place, with a salary of 125*l.* per annum.

W. Dely.—Was appointed superintendent of the North Convict Stations at Cradock's Kloof, (Montagu Pass,) on the 4th January, 1844, at 150*l.* per annum. That station having been broken up, at the completion of the works at that place, his services were no longer required in that capacity. He is now appointed to be clerk to the Civil Commissioner of Somerset, at a salary of 125*l.* per annum.

Resident Magistrates and Clerks to Resident Magistrates.

George Dyason.—Held the office of resident justice of the peace at Bathurst since the 1st September, 1836, with a salary of 100*l.* That office having been abolished, he is now appointed resident magistrate of that place, at a salary of 250*l.* per annum.

George Dyason, Jun.—Was appointed clerk to the resident magistrate at Port Elizabeth, on the 22nd May, 1847, salary 100*l.* He is now appointed clerk to the resident magistrate at Bathurst, with a like salary.

Major Longmore.—Is one of the late special justices, appointed under the Act of Parlia-

ment for the abolition of slavery. Upon the expiration of the apprenticeship of the slaves in this colony, he was retained as a resident magistrate at Winberg, till the 27th April, 1846, with a salary and allowances paid by the British Treasury, amounting to 450*l.* per annum, and from that date to the month of September, 1846, with a salary of 250*l.*, paid by the colony. He is now appointed resident magistrate at Mossel Bay, a new seat of magistracy, with a salary of 250*l.* per annum.

A. Watson.—Appointed clerk to the resident magistrate at Mossel Bay, with a salary of 100*l.* per annum. He has acted as a temporary clerk to the resident magistrate at Caledon, for about eight months, but this is the first permanent office he has held under the Colonial Government.

Captain Hill.—Was retained as a resident magistrate at Malmesbury, under similar circumstances as Major Longmore. He is now appointed with a salary of 250*l.* per annum, resident magistrate at Piquetberg, a new seat of magistracy.

S. Goldsburg.—Late a teacher in the Government school at Caledon, at a salary of 65*l.* a-year, and 25*l.* in lieu of a house. He has now been appointed, clerk to the resident magistrate at Piquetberg, with a salary of 100*l.* per annum.

Major Piers.—Was retained as a resident magistrate at the Paarl, under similar circumstances as Major Longmore. He is now appointed resident magistrate at Tulbagh, a new seat of magistracy, with a salary of 250*l.* per annum.

Samuel Shaw.—The son of a Wesleyan missionary, appointed clerk to the resident magistrate at Tulbagh, with a salary of 100*l.* per annum. This is his first appointment in the public service. He has been well recommended as qualified.

Major Barnes.—Was retained as a resident magistrate at Caledon, under similar circumstances as Major Longmore. He is now appointed magistrate at Riversdale, a new seat of magistracy, with a salary of 250*l.* per annum.

H. R. Taylor.—Was temporarily employed in the colonial and audit offices. He is now appointed clerk to the resident magistrate at Riversdale, with a salary of 100*l.* per annum.

Captain Hope.—Held the office of assistant civil engineer, from 1838 till the 1st May, 1845, when it was abolished. Since that, he acted as Civil Commissioner and resident magistrate of Swellendam, for Lieut.-Colonel Dickson, up to the 1st March, 1847. He is now appointed resident magistrate at Richmond, a new seat of magistracy, with a salary of 250*l.* per annum.

E. S. Ford.—Was for about 18 months acting clerk to the resident magistrate at the Paarl. He is now appointed clerk to the resident magistrate at Richmond, for which office he is known to be well qualified.

J. van Blommestein.—Appointed clerk to the resident magistrate at Stellenbosch in 1834, with a salary of 80*l.* per annum. He is now appointed clerk to the resident magistrate at Caledon, with 100*l.* per annum.

L. Lloyd.—Appointed clerk to the resident magistrate at Port Elizabeth, with a salary of 100*l.* per annum. This is his first appointment in the public service. He has been recommended as qualified.

J. C. Truter.—Is the son of Mr. H. A. Truter, formerly clerk in the tax office, and now a civil pensioner. Mr. Truter is appointed clerk to the resident magistrate at Fort Beaufort, with a salary of 100*l.* per annum. His first appointment in the public service.

F. B. Pinney.—Holds the office of sub-collector of customs, Simon's Town, with a salary of 200*l.* per annum, since 1839. He is now also appointed resident magistrate of that place, with an addition to his salary of 50*l.* yearly; in the room of the late resident justice, Lieut.-Colonel M. J. Blake, whose office having been abolished, has applied for a pension. Colonel Blake drew a salary of 150*l.* per annum, and 50*l.* in lieu of a house.

W. Murray.—Son of the Rev. George Murray, minister of the Dutch reformed church at Graaff Reinet. He is appointed clerk to the resident magistrate of Colesberg, vice J. Walker promoted, with a salary of 100*l.* per annum. This is his first appointment to the public service.

	£.	s.	d.
Additional charge for the preceding appointments	3300	0	0
Charges for constables, gaolers, scavengers, lock-up houses, public offices, &c. &c., for the several stations above alluded to	3851	0	0
	<u>£7151</u>	<u>0</u>	<u>0</u>

The following offices have been created, and filled up by his Excellency Sir H. G. W. Smith, beyond those intended to have been proposed by the Right Honourable Sir Henry Pottinger.

Civil Commissioners, and Clerks to Civil Commissioners.

Rev. H. Calderwood.—As Civil Commissioner and resident magistrate of the division of Victoria, with a salary of 500*l.* per annum, and forage allowance for two horses. (Vide Despatch to Earl Grey, No. 1, of 1st January, 1848.)

S. J. Abington.—Clerk to the Civil Commissioner of Victoria, with a salary of 150*l.* per annum. His first appointment in the public service.

T. C. Bird.—Clerk to the Civil Commissioner of Albert, with a salary of 150*l.* per annum. This is his first appointment in the public service. His father is a pensioner of this colony, and was for many years the secretary to Government here.

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T. H. Bowker.—Appointed resident magistrate of the district of Stockenstrom, (Kat River) a new magistracy, with a salary of 250*l.* per annum. His first appointment in the public service.

W. Emmet.—Is the son of Captain E. E. Emmet, formerly chief clerk to the Civil Commissioner of Swellendam, and now a civil pensioner. Mr. W. Emmet is appointed clerk to the resident magistrate at Stockenstrom, with a salary of 100*l.* per annum. This is his first appointment in the public service.

W. M. Edye.—Held the office as chief clerk to the Civil Commissioner and resident magistrate of Albany, with a salary of 200*l.*, till the month of March, 1840. He then retired from the public service on account of ill health, with an allowance of 50*l.* per annum. He is now appointed resident magistrate at Fort Peddie, in the division of Victoria, with a salary of 250*l.*, and his retired allowance has in consequence terminated.

A. P. de Villiers—Is appointed clerk to the resident magistrate at Fort Peddie, with a salary of 100*l.* per annum. This is his first appointment in the public service.

Hector Lowen.—Held the office of clerk to the clerk of the peace of Albany, from 16th September, 1836, to 30th June, 1838, with a salary of 100*l.* per annum. He is now appointed clerk to the resident magistrate of Victoria, with a like salary of 100*l.* a-year.

J. G. Woodward.—Is appointed clerk to the resident magistrate of Albert, with a salary of 100*l.* per annum. His first appointment in the public service.

Clerks of the Peace.

J. H. B. Wienand.—Was appointed on the 1st July, 1834, clerk to the resident magistrate at Graham's Town, division of Albany, with a salary of 50*l.* He is now appointed to clerk of the peaceship for the division of Victoria, with a salary of 200*l.* a-year.

John Blake.—Is a justice of the peace, without salary, and son of the late Captain Blake, formerly resident of Saldanha Bay. He is appointed clerk of the peace at Albert, with a salary of 200*l.* per annum. His first appointment in the public service.

	£.	s.	d.
Charges for the preceding appointments	2550	0	0
Charges for constables, gaolers, scavengers, lock-up houses, public offices, &c. &c. for the several stations above alluded to	2018	0	0
	£4568	0	0

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

PROCLAMATION

By His Excellency Lieutenant General Sir HENRY GEORGE WAKELYN SMITH Baronet, Knight Grand Cross of the Most Honourable Military Order of the Bath, Colonel of the Second Battalion of the Rifle Brigade, Administrator of the Government of the Settlement of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, and Ordinary, and Vice-Admiral of the same; and Her Majesty's High Commissioner for the settling and adjustment of the Affairs of the Territories in Southern Africa adjacent and contiguous to the Eastern and North-Eastern Frontier of the said Colony, &c. &c. &c.

WHEREAS by an Ordinance enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, dated the 26th day of June, 1847, and intituled an "Ordinance for enabling the Governor of the Colony to create Courts of Resident Magistrates," it is amongst other things provided that it shall and may be lawful for the Governor of this Colony, or the officer for the time being lawfully exercising the government thereof, by any proclamation to be by him from time to time issued for that purpose and published in the "Government Gazette," to erect, constitute, and establish courts to be called Courts of Resident Magistrates, and to be held for and within such districts respectively as the said Governor shall in any such proclamation from time to time specify, define, or describe:—

Now, therefore, in pursuance of the said provision of said Ordinance, I do hereby proclaim and make known, that I have constituted, and established Courts of Resident Magistrates within the following districts, which shall, from and after this date, be within and subject to the jurisdiction and authority of the said Courts respectively, and shall cease to be within and subject to the jurisdiction and authority of the Courts of Resident Magistrates under which they have hitherto been placed, that is to say:—

The district of Tulbagh, which shall comprehend the Field-cornetries of Tulbagh, *Voorste Omtrek* of Cold Bokkeveld, Warm Bokkeveld, *voor* Twenty-four Rivers, and those parts of the Field-cornetries of Breede River, and *Achterste Omtrek* of Cold Bokkeveld which are included in the parish of the Dutch Reformed Church of Tulbagh:—

The district of Piquetberg, which shall comprehend the two Field-cornetries of Piketbergen, and the Field-cornetries of Great Berg River, Verloren Valley, *over* Twenty-four Rivers, and St. Helena Bay:—

The district of Simon's Town, which shall comprehend the Field-cornetries of Simon's Town, Noord Hoek and Wildschuts Brand:—

The district of Riversdale, which shall comprehend the Field-cornetries of Riversdale, Vette River, Kaffir Kuils River, Valsche River, Groot Zwarteberg and Langeberg:—

The district of Mossel Bay, the boundaries of which shall be those of the parish of the Dutch

Reformed Church of Mossel Bay, as described in the Government Notice, dated 6th February, 1845, and published in the "Government Gazette," No. 2042:—

The district of Richmond, the boundaries of which shall be those of the Parish of the Dutch Reformed Church of Richmond, as defined in the Government Notice, dated the 20th November, 1844, and published in the "Government Gazette," No. 2031.

The district of Bathurst, which shall consist of the Field-Cornetcy of Bathurst:—

The district of Fort Beaufort, the boundaries of which shall be on the south, the Great Fish River, from its junction with the Kat River to its junction with the Koonap, thence the Koonap to its junction with the Kaga; on the west and north, the present boundaries of the Albany district; on the east, the Kat River from its junction with the Fish River to its confluence with a small river called the Umdala, thence the right bank of the Umdala to the Tyumie Height, and thence the present boundary of the Albany district to Gaika's Kop;—excluding, however, from the territory thus defined, the native settlements or locations constituting the district of Stockenstrom:—

The district of Stockenstrom, which shall consist of the six Field-cornetcies, into which the locations of that settlement are divided:—

The district of Victoria, which shall comprehend that part of the division of Victoria, which lies north of the main road running from Commity's Drift on the Great Fish River to Commity's Hill, and thence to the drift on the Kieskamma:—

The district of Fort Peddie, which shall comprehend that part of the divisions of Victoria lying south of the above-mentioned line of Road:—

The district of Albert, which shall comprehend the division of Albert.

I further proclaim and make known that the boundaries of the division of Port Elizabeth, as described in my Proclamation of this day's date, shall henceforth be those of the district of Port Elizabeth:—that the two Field-cornetcies of Koeberg, from and after this date, shall cease to be under the jurisdiction of the Court of the Resident Magistrate of the district of Malmesbury, and shall be subject to that of the Court of the Resident Magistrate of Cape Town:—and that the Upper Field-cornetcy of River Zonder End belonging to the district of the Paarl, and the Field-cornetcy of Bot and Palmiet River belonging to that of Stellenbosch, shall in like manner be removed from the jurisdiction under which they are respectively placed, and be subject to that of the Court of Resident Magistrate of the district of Caledon. ¶

And in order to avoid misunderstanding in regard to the extent of jurisdiction of the respective Courts of Resident Magistrates now constituted throughout the Colony, I hereby make it known that in all cases in which the boundary lines of the several districts may intersect a place, farm, or other location, such place or farm shall be deemed to belong to that district in which the residence of the owner or occupier is situate.

GOD SAVE THE QUEEN!

Given under my hand and the Public Seal of the Settlement of the Cape of Good Hope, this 8th day of March, 1848.

(Signed) H. G. SMITH.

By Command of His Excellency the Administrator of the Government,

(Signed) JOHN MONTAGU, Secretary to Government.

Enclosure 3 in No. 1.

Encl. 3 in No. 1.

PROCLAMATION

By his Excellency Lieutenant-General Sir HENRY GEORGE WAKELYN SMITH Baronet, Knight Grand Cross of the Most Honourable Military Order of the Bath, Colonel of the Second Battalion of the Rifle Brigade, Administrator of the Government of the Settlement of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, and Ordinary, and Vice-Admiral of the same; and Her Majesty's High Commissioner for the settling and adjustment of the affairs of the Territories in Southern Africa, adjacent and contiguous to the Eastern and North-Eastern Frontier of the said Colony, &c., &c., &c.

WHEREAS it is expedient, for the better administration of the civil government of this colony, that certain of its territories should be formed into new and separate divisions, for all matters connected with functions and duties of Civil Commissioners.

I do, therefore, by virtue of the powers wherewith I am vested, hereby proclaim and make known, that the following territories shall form and constitute distinct and separate divisions, that is to say:—

The division of Malmesbury, which shall comprehend the districts of Malmesbury and Piquetberg, as defined by my Proclamation of this day's date.

The division of the Paarl, which shall comprehend the district of the Paarl.

The division of Caledon, which shall comprehend the district of Caledon.

The division of Port Elizabeth, of which the following shall be the boundaries landwards:—From the place Sea View, situate south-west of Algoa Bay to Goedsmoed's Fountain, thence to Kragga Kamma, thence to Kaggga (including the abovementioned farms, together with those of Bushy Park and Chelsea), from Kaggga down the right bank of the Little Zwartkop's river, to its junction with the Great Zwartkop's river, and thence down the right bank of said river to its confluence with the sea.

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The divisions of Fort Beaufort, which shall comprehend the districts of Fort Beaufort and Stockenstrom, as defined in my Proclamation of this day's date.

GOD SAVE THE QUEEN!

Given under my hand, and the Public Seal of the Settlement of the Cape of Good Hope, this 8th of March, 1848.

(Signed) H. G. SMITH.

By Command of His Excellency, the Administrator of the Government.

(Signed) JOHN MONTAGU, Secretary to Government.

Encl. 4 in No. 1.

Enclosure 4 in No. 1.

GOVERNMENT NOTICE.

Colonial Office, Cape of Good Hope, March 8, 1848.

WITH reference to the Proclamation of this day's date, constituting certain additional Courts of Resident Magistrates in the colony, and defining the districts respectively placed under their jurisdiction, his Excellency the Administrator of the Government, has been pleased to cause the following appointments in connexion therewith to be duly notified, viz. :—

1. J. C. Chase, Esq., to be resident magistrate of the district of Albert.
2. G. Dyason, Esq., ditto, ditto, Bathurst.
3. M. J. H. Borchers, Esq., ditto, ditto, Fort Beaufort.
4. W. M. Edye, Esq., ditto, ditto, Fort Peddie.
5. George Longmore, Esq., ditto, ditto, Mossel Bay.
6. J. M. Hill, Esq., ditto, ditto, Piquetberg.
7. F. Hope, Esq., ditto, ditto, Richmond.
8. J. Barnes, Esq., ditto, ditto, Riversdale.
9. T. H. Bowker, Esq., ditto, ditto, Stockenstrom.
10. F. B. Pinney, Esq., ditto, ditto, Simon's Town.
11. H. Piers, Esq., ditto, ditto, Tulbagh.
12. H. Calderwood, Esq., ditto, ditto, Victoria.

By his Excellency's Command.

(Signed) JOHN MONTAGU, Secretary to Government.

Encl. 5 in No. 1.

Enclosure 5 in No. 1.

GOVERNMENT NOTICE.

Colonial Office, Cape of Good Hope, March 8, 1848.

WITH reference to the Proclamation of this day's date, declaring certain territories to be distinct and separate divisions, his Excellency the Administrator of the Government, has been pleased to cause the following appointments to be duly notified, viz. :—

- W. F. Bergh, Esq., to be Civil Commissioner of the division of Malmesbury.
 W. M. Mackay, Esq., ditto, ditto, Caledon.
 K. N. Van Breda, Esq., ditto, ditto, Paarl.
 W. Lloyd, Esq., ditto, ditto, Port Elizabeth.
 M. J. H. Borchers, Esq., ditto, ditto, Fort Beaufort.

By Command of his Excellency, the Administrator of the Government.

(Signed) JOHN MONTAGU, Secretary to Government.

Encl. 6 in No. 1.

Enclosure 6 in No. 1.

PROCLAMATION

By his Excellency Lieutenant-General Sir HENRY GEORGE WAKELYN SMITH, Baronet, Knight Grand Cross of the most Honourable Military Order of the Bath, Colonel of the Second Battalion of the Rifle Brigade, Administrator of the Government of the Settlement of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-Admiral of the same, and Her Majesty's High Commissioner for the settling and adjustment of the affairs of the Territories in Southern Africa, adjacent and contiguous to the Eastern and North-Eastern Frontier of the said Colony, &c. &c. &c.

WHEREAS the introduction into this colony (or such districts of the same as are sufficiently removed from the eastern frontier thereof) of Kafir youths, to be apprenticed to farmers or others, would greatly tend to the promotion amongst them of Christianity, civilization, and industrious habits, and, at the same time, tend in some degree to supply the want of field and other labour which the inhabitants experience: And whereas the results which have attended the system of apprenticing, with care and attention, captured negroes set free from slavery, have been such as to show that Kafir youths will be sure of finding humane and kind treatment, and in time be enabled to improve themselves and benefit the colony in a degree proportionate to their known natural capacity: And whereas, in order to secure the social advantages aforesaid, I have made, and caused to be made, to the subjugated chiefs and

people, strong representations in regard to the benefit which would accrue to their now very destitute and wholly ignorant and helpless youths, were they placed under the care and protection of the colonial Government, in order to be apprenticed to carefully selected masters, whose duty it should be to feed, clothe, and instruct them : And whereas I have reason to believe that a considerable number of Kafir youths of different ages will be voluntarily, and from time to time, placed in my hands for the purpose aforesaid, whom it is my intention to send to the several districts of this colony, as I may, from time to time, deem suitable : And whereas it is necessary to make known the rules and regulations under which the said youths will be apprenticed ; now, therefore, I do hereby proclaim, declare, and make known that the following rules and regulations shall be strictly observed :—

1. Every apprentice shall be apprenticed by an indenture, as much as may be in the same form as the blank indenture hereto annexed.

2. Every such indenture shall be executed by the resident magistrate of the district, acting for the apprentice on the one part, and by the master on the other part.

3. Every apprentice under 15 years of age may be apprenticed to a trade, or as a farm or domestic servant, till he attain the age of 18 years.

4. Every apprentice of the age of 15 years or upwards may be apprenticed for a term not exceeding three years.

5. Every indenture shall be executed in duplicate, one copy to be delivered to the master, and the other copy to be preserved of record in the office of the resident magistrate, who shall make periodical returns of the contracts of every such indenture, in such manner as he shall hereafter be directed.

And I do further proclaim, declare, and make known, that all resident magistrates who shall or may be called upon to act in or about the apprenticing of any of the young persons aforesaid, are enjoined and expected to exercise their best and most anxious discretion in selecting from amongst the inhabitants applying for such apprentices, fitting masters and mistresses, and to take steps, from time to time, to ascertain that the terms and conditions of the indentures entered into are duly fulfilled, and generally to endeavour, as much as in them lies, to secure the well-working of the present attempt to add to the scanty supply of colonial labour, and at the same time, by reclaiming from a life of idleness, ignorance, and lawlessness, a number of the youth of British Kafiraria, to contribute, together with the other measures now in progress, to the peace, good order, and gradual advancement of that important province.

GOD SAVE THE QUEEN.

Given under the Public Seal of the Settlement of the Cape of Good Hope, this 27th day of January, 1848.

By command of his Excellency the Administrator of the Government,

(Signed) J. A. LE SUEUR.
Pro Secretary to Government, absent on duty.

District of

THIS INDENTURE, made the _____ day of _____, in the _____ Year of Our Lord One thousand _____, between _____, the Resident Magistrates of the _____ district of _____ of the one part, and _____ district, of the other part,

WITNESSETH, That the said _____ hath put out and bound, and doth hereby put out and bind, a certain male Kafir, named _____, about the age of _____ years, _____ feet _____ inches in height, or by whatsoever other name, age, or height the said _____ shall be hereafter known or distinguished. apprentice to the said _____ from the date hereof, for and during the term of _____ years from thence next ensuing, if the said apprentice shall so long live, to serve the said _____ in the craft, trade, or employment of _____ in the colony of the Cape of Good Hope.

And the said _____, in consideration of such apprenticeship, doth hereby for self, heirs, executors, and administrators, covenant, promise, and agree, to and with the said _____ acting for the said apprentice, in manner and form following, that is to say :—that the said _____ shall and will diligently and faithfully instruct and teach, or cause to be instructed and taught the said apprentice in the craft, trade, or employment of _____, and in all things whatever relating, incident, or belonging thereto, during the said term. And also that the said _____ shall and will provide and allow to the said apprentice sufficient, decent, and comfortable food and clothing, lodging, medical assistance, medicines, and other necessaries during the said term of service ; and also shall and will pay and allow to the said apprentice, the wages or remuneration following, that is to say :—

And also shall and will cause the said apprentice to be carefully instructed, and as speedily as possible, in the Christian religion, and to be taken, when sufficiently instructed, to be baptized ; and also shall and will permit, and suffer, and encourage the said apprentice to attend public worship. And also shall and will, from time to time, and at any time when thereunto requested by the resident magistrate of the district aforesaid for the time being, or by any other person by the said resident magistrate thereunto authorized, in writing, produce the said apprentice for inspection and examination, and shall not, nor will, alter or change the name of the said apprentice, and when the said apprentice shall have been baptized, that then and in such case _____, the said _____, shall and will immediately cause notice thereof to be given to the said resident magistrate for the time being, in order that the identity of such apprentice may at all times thereafter be known and distinguished.

And the said _____ doth hereby for self, heirs, executors, and administrators, further covenant, promise, and agree, to and with the said _____ in manner and form following, that is to say ; that _____ the said _____, or any person or persons by _____ direction

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or permission, shall not, nor will, during the term aforesaid, treat, or wittingly or willingly cause, permit, or suffer to be treated with hardship or severity, the said apprentice, nor will assign the said apprentice to any other person or persons whomsoever, or send, or permit, or suffer, or cause, or procure to be sent, the said apprentice to any other colony, island, or place than the said colony of the Cape of Good Hope, without the previous license, in writing, of the resident magistrate of the said district for the time being. And in case of any default or neglect in the due performance of all or any of the aforesaid covenants, which, on the part and behalf of the said are to be done, kept, and performed, all right and title to the further service of the said apprentice shall, at the election of the said resident magistrate of the said district for the time being, be forfeited, and the terms of apprenticeship, hereinbefore mentioned, shall thenceforth, should he think proper, absolutely cease and determine.

Provided always, and it is hereby declared and agreed, that in case the said executors and administrators, shall happen to depart this life before the expiration of the said term hereinbefore mentioned, then, and in that case, all right and title of the said in and to the services of the said apprentice shall thereafter cease and determine to all intents and purposes whatsoever, as if this indenture had not been made. And the resident magistrate of the said district for the time being, shall and may be at free liberty again to put out and apprentice the said apprentice to such or other person or persons as he, in his discretion, shall deem expedient for that purpose, for the remainder of the said term without any molestation or interruption whatsoever from the executors or administrators of the said

And, lastly, for the due and faithful performance of all and every the several covenants, clauses, and agreements hereinbefore mentioned and contained, which, by and on the part and behalf of the said the said are to be done, kept, and performed in manner and form aforesaid, the said doth hereby bind doth hereby bind self, heirs, executors, and administrators, and per-
son and property according to law.

And, lastly, it is hereby further agreed and declared, that it shall and may be lawful to and for the resident magistrate of the said district for the time being, or any other person authorized thereto by his Excellency the Governor of this colony for the time being, to commence and prosecute, have, sue for, recover and receive, but on behalf of Her Majesty, her heirs and successors, any action or actions, suit or suits, or other proceeding or proceedings, on foot of this indenture, for obtaining redress, and for the protection of the said apprentice, or otherwise, according to the law of the said colony, and to issue execution thereon.

In witness whereof the said parties to these presents have hereunto set their hands and seals, the day and year first above written.

No. 2.

(No. 87.)

No. 2.

EXTRACT of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B.,
to Earl GREY, dated Government House, Cape Town, May 22, 1848.

(Received July 28, 1848.)

"WITH reference to affairs in Kafirland, I enclose a copy of a communication which I have received from the Commissioner attached to Sandilli; and I rejoice in being able to assure your Lordship that all my measures in British Kaffraria progress under the zealous command of Colonel Mackinnon; and that the military villages, regarded as a whole, have succeeded thus far much better than I had contemplated. The friendly feeling of the distant trans-Keian chief Faku, is sufficiently shown by the following expression of his satisfaction on hearing of my intention to send him a Commissioner, contained in a letter written by his request: 'Faku begs to state that he feels grateful to his father, the great Governor, for the very kind interest he takes in his behalf, and wishes always to be considered as a child of the English Governor.'"

Encl. in No. 2.

Enclosure in No. 2.

SIR,

Fort Cox, May 2, 1848.

I HAVE the honour to send you Sandilli's answer to his Excellency's letter, taken down verbatim from his own lips, as follows:—

"Thanks to my father for his goodness. His word is good, and he shows me it is true; I can do nothing against it; I am under his feet, yet he calls me son; I see, that in truth, he has adopted me, and is become father and benefactor of the Kafirs. I have now no will but his; he is, indeed, the Inkosi Inkula.

"I rejoice to see that my father, though far from me, does not forget me; and his letter shall be often read to me. I am satisfied, and can complain of nothing.

"I thank for the plough, the oxen, the seed, and tools given to me. I am now poor, and, with my children and servants, suffer hunger; but my father has now put food and property in my hand, and I hope soon again to be rich."

Whenever the plough for Sandilli arrives he will commence breaking ground, having already cleared a considerable piece from stones and roots with the axes and picks furnished to him by Colonel Mackinnon.

I have, &c.,

(Signed)

CHARLES BROWNLEE,

Assistant Gaika Commissioner.

R. Southey, Esq.,

Secretary to his Excellency H. M.'s High Commissioner.

(No. 94.)

No. 3.

EXTRACT of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B.,
to Earl GREY, dated Government House, Cape Town, June 13, 1848.

(Received September 2, 1848.)

"THE magistrates, Messrs. Biddulph and O'Reilly, have been received at Winberg and Caledon with every demonstration of respect; and thus, I trust, is established that nucleus of good order and rule which I have had in contemplation. The trusty and well-disposed are staunch in the profession of their loyalty; the wavering will be gained, and the adverse party, notwithstanding the efforts and activity of individuals, will soon feel themselves to be greatly in the minority, will observe the progressive improvement of things around them, and either remain sullenly quiet or desire to be again received within the pale of social and Christian order. I have a schoolmaster already *en route* to Winberg; and the offer* of the Messrs. Halse clearly demonstrates the faith in the present order of things; for nothing is so conclusive as when a money question is involved.

"British Kafraria is settling down in every respect as I could desire. The missionaries are all at their stations; and their replies to queries which I have submitted to them, as to the best method to be adopted to promote Christianity and civilization, show that we generally agree. The absence of inroad into the colony just now, during the long winter nights, is the more remarkable from the present being the usual season for depredation. The Kafir police is most active and efficient. I attribute much of the prevention of theft to the manner in which it is posted; and its success in tracing stolen property is invariable.†

"The military villages‡ continue to progress better than I dared to hope for, discharged soldiers being, by no means, the best class of settlers. The Civil Commissioner, Mr. Calderwood, in his last report upon these villages, states, that 'for the last four weeks there has been a decided improvement. At Woburn there are not so many houses in a state of forwardness as at the other villages, but the houses that are there erected are substantial stone and brick buildings. At the other villages there is now a house for every settler, in a state of more or less forwardness. The best of the men remain, and they seem in earnest about getting on. In the course of this and next month a large quantity of land will be laid under the plough.'

"So soon as I receive the confirmation of my measures from your Lordship, which I am inclined to hope for, and make it known to the Kafir chiefs and to the colony, I shall carry into effect some changes in British Kafraria, one of which will be the withdrawal of a regiment of the line from the eastern frontier. I have some idea of forming one division of the Kafir police into a regular corps, the half being mounted, on the precedent of the Cape Rifles: this requires, however, to be gradually, not precipitately, effected."

Enclosure 1 in No. 3.

Encl. 1 in No. 3.

SIR,

Waterval, Caledon River District, May 18, 1848.

I HAVE the honour to state, for your information, according to our mutual arrangement, that I have found this place by far the most eligible spot for my station; it is within 45 minutes' ride of the Caledon River, and in a central position of the district, as well as being surrounded by farmers. There is a beautiful valley on it—a most desirable situation for a village—with two fountains, which will irrigate a number of erven;§ wood in abundance, which in these parts is no small recommendation. I have made the following arrangement with the owners, Messrs. H. and F. Halse:—that I take possession of all the buildings on the place; which will enable me to have offices, gaol, &c. &c., without putting Government to any expense for some time to come; at all events not until the funds of the district will admit of making an outlay for such purposes. They (Messrs. H. and F. Halse) to give 500*l.* towards the erection of a Dutch Reformed Church; to give up the whole place, about 4000 morgen, in commonage, retaining to themselves the right of the sale of erven, and of course the proceeds; to give ground for the church to be built on; as also an erf for offices and prison; and all rights and privileges to belong to Government after the sale of the erven.

This arrangement seems to me to be so liberal on their part, and so extremely beneficial to the public—a village being formed without a fraction of expense to Government, in the district of Caledon—that I feel confident you will at once coincide with me, and submit it for his Excellency the Governor's favourable consideration.

Major Warden, British Resident.

I have, &c.,
(Signed) J. O'REILLY,
Civil Commissioner for Caledon District.

§ Plots of Ground.

C 2

CAPE OF GOOD HOPE.

No. 3.

Answered No. 190,
17th Sept. 1848,
page 43.

* Letter from Mr. O'Reilly, conveying Messrs. Halse's offer (annexed).

Extract of a letter from his Excellency the Governor, respecting the erection of churches (annexed, page 16).

† Return of Kafir depredations, page 16.

‡ Return of military villages (Enclosure 4), page 16.

CORRESPONDENCE RELATIVE TO THE

CAPE OF GOOD
HOPE.

Encl. 2 in No. 3.

Enclosure 2 in No. 3.

RETURNS OF KAFIR DEPREDACTIONS.

RETURN of Colonial Property reported Stolen from the 16th to the 30th of April, 1848.

Dates.		From whom stolen.	Stolen.			Location traced to.	Thief.	Recovered.			Fine.	
Stolen.	Reported.		Horses	Cattle	Sheep.			Horses	Cattle	Sheep.	Horses	Cattle.
April 16	April 25	Commissariat Department, Fort Peddie.	2	..	..	Umhala's	Mayolo and Umbakie.	2	..	..	..	..

REMARK.—Apprehended by the civil police, and having no means of paying a fine, each thief received a corporal punishment of 50 lashes.

(Signed) GEORGE MACKINNON,
Colonel and Chief Commissioner.

RETURN of Colonial Property reported Stolen from the 1st to the 15th of May, 1848.

Dates.		From whom Stolen.	Stol .			Location traced to.	Thief.	Recovered.			Fine.	
Stolen.	Reported.		Horses	Cattle	Sheep.			Horses	Cattle	Sheep.	Horses	Cattle.
April 28	April 29	Mr. Filmore, Kariega River.	..	10	..	Seyolo's	Klass	..	9	..	..	7

REMARK.—The police found one ox slaughtered near Piet Apple Tower, the remainder of the cattle were recovered by them and returned to the owner, together with one cow in compensation for the slaughtered ox. The thief was captured by the police, and received at King William's Town 25 lashes.

(Signed) GEORGE MACKINNON,
Colonel and Chief Commissioner.

RETURN of Colonial Property reported Stolen from the 16th to the 31st of May, 1848.

None.

(Signed) GEORGE MACKINNON,
Colonel and Chief Commissioner.

Encl. 3 in No. 3.

Enclosure 3 in No. 3.

EXTRACT of a LETTER from his Excellency Sir H. G. SMITH, Bart., G.C.B., to Major
WARDEN, British Resident, &c. &c.

WE have written to Holland for two clergymen: in the meantime turn your attention to funds for the construction of churches—one at Winberg; one at Bloem Fontien; one at Caledon residency; and set on foot subscriptions. Put my name at the head of each for 300 rix dollars; and, as the funds accumulate, so will I, from the treasury, add equal sums, as the best mode to ensure a commencement to build immediately.

Encl. 4 in No. 3.

Enclosure 4 in No. 3.

RETURN of Military Villages on the Frontier of the Colony of the Cape of Good Hope.

Village.	Commanded by	Captains.	Subalterns.	Sergeants.	Corporals.	Privates.	Women.	Children.	Total.
Juanasburg .	Captain Moultrie, 45th Regiment, Superintendent.	1	..	1	4	65	2	2	75
Woburn . .	Lieut. Armytage, 6th Regiment, Superintendent.	..	1	1	3	66	Nil.	Nil.	71
Auckland .	Sergeant Thos. Porter, late of 91st Regiment, Superintendent.	..	..	5	4	54	12	42	115
Ely . . .	Corporal F. Jacob, late of 27th Regiment, in charge.	..	..	..	1	43	3	11	58
Total . . .		1	1	7	12	228	17	55	319

MEN.—A large Hottentot village in progress of formation on the "Beka."

Deputy Quarter-Master General's Office,
Cape Town, June 13, 1848.JOHN GARVOCK, Major,
Private Secretary.

(No. 99.)

No. 4.

CAPE OF GOOD
HOPE.
No. 4.COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Government House, Cape Town, June 24, 1848.

MY LORD,

(Received September 12, 1848.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 31st March, 1848, No. 108,* in which is conveyed Her Majesty's confirmation of my measure in extending the former nominal northern boundary of this colony to a positive and well-defined one, viz., the Orange River; although some apprehension is expressed on your Lordship's part as to the consequences which at some future period may ensue.

The exposition of the circumstances which, as it appears to me, rendered this measure advisable, so ably afforded, in my opinion, by Colonel Michell, the Surveyor-General, was transmitted in my Despatch to your Lordship of the 18th December, 1847;† and will, I hope, upon a further reference, tend to remove this apprehension, and to show the improbability of the occurrence of any of the evils conceived to be attached to my proceeding.

I can assure your Lordship that my sole aim is to meet your wishes, for the benefit of the colony, and that every act of my administration has for its object peace, harmony, tranquillity, and economy; and feeling confident, as I do, of the expediency of the measure in question, I cannot refrain from expressing my gratification, that while some regret is evinced by your Lordship at its adoption, it has not been deemed requisite to withhold Her Majesty's sanction.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) H. G. SMITH.

(No. 105.)

No. 5.

No. 5.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Government House, Cape Town, July 20, 1848.

MY LORD,

(Received October 9, 1848.)

Answered No. 204,
Oct. 24, 1848, page
43.

I HAVE the honour to state to your Lordship, that as no subject occupies more of my attention than the rule and civilization of the Kafir tribes, I some time since addressed a circular letter to the several missionaries, as to the best method to pursue for effecting so desirable an object. The tenor of their replies is conflicting; some recommending very extravagant impossibilities, others offering very reasonable suggestions; but all agreeing on one point—viz., the vast utility of normal schools. I directed duplicates of these opinions of the missionaries to be sent to Colonel Mackinnon, conveying at the same time my desire that he should report thereon; and I enclose herewith a copy of his report, which contains very able, judicious, and practical recommendations.

No. 1.

Your Lordship will observe, that a species of tax accrues to the treasury by the fines levied upon the Kafirs; and the fund arising from the traders' licenses, which is of course derived from the Kafirs, is very considerable. The legitimate object of this fund, however, must not be lost sight of, viz., the formation of roads, establishment of schools, &c. Colonel Mackinnon likewise very justly remarks, that, by their consumption of various articles of British manufacture, the Kafirs contribute to the customs' import duties; and I shall consequently not attempt certainly for the present to impose any direct tax upon them.

The following are the items of expense in British Kafraria:—

	£.
1 Chief Commissioner	500
1 Interpreter, &c.	200
1 Commissioner	500
1 Clerk	150
1 Assistant Commissioner	250
1 Clerk	150
	1750

* Vide page 29 of Kafir Papers, presented to both Houses of Parliament by Command, July, 1848.

† Ditto page 21.

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HOPE.

And the whole cost of ruling it, therefore,	
amounts to	1750
Add to this the salaries of the Commissioners with the Chiefs Faku and Kreili	500
Total	<u>£2250</u>

A Commissioner with a large salary was appointed to the Tambookies during the administration of my predecessor; and as his office is one which could be readily and most effectively filled at less expense by the Rev. J. A. Bonatz, of the well-regulated Moravian Mission at Shiloh, I propose to abolish the appointment so soon as I can provide for Mr. Cole, who was taken out of the colony as a Civil Commissioner; in which appointment I hope speedily to be enabled by a vacancy to replace him.

His present salary with the Tambookies, and that of his clerk, amounts to 750*l.*; and as 100*l.* a-year will be ample remuneration to Mr. Bonatz, a saving of 650*l.* will be thus effected.

The expenses of my system beyond the Orange River will be defrayed by the population; hence there will be a saving of the salary of the British resident and his establishment, amounting to 88*l.* a-year.

The Treasury is no longer burdened with the salary of the Lieutenant-Governor of the Eastern Province, his secretary, and establishment, amounting altogether to 2765*l.*

Your Lordship will thus perceive that, exclusive of the change in contemplation as regards the Tambookie Commissioner, and the salary of the British resident at "Bloem Fontein," the reduction effected exceeds by upwards of 500*l.* the amount of the fresh expenses lately entailed upon the colony; and that the system which prevails is one of economy. It is one which must be supported by the Colonial Treasury; although, as I have not yet received your Lordship's confirmation of the whole of my measures, I have not made the necessary provision for it in the estimates which have recently passed the Council. These charges will therefore, for this year, be paid through the Commissariat, and be ultimately transferred to the Colonial Treasury.

The expense of the first division of the Kafir police has been included in the estimates for the ensuing year; the provision for the second division is under my consideration, and my views on this subject shall be hereafter submitted to your Lordship. The cost of the police will be now considerably reduced, in consequence of the contract for provisions being upwards of 50 per cent. lower than during the war.

The sum to be expended on Kafir presents on the 7th January next, the day on which the chiefs bring their token of obedience, may amount to between 500*l.* and 600*l.*; but this item will, in a great measure, be counterbalanced by the fines for depredations levied on the Kafirs themselves.

I have thus given your Lordship an outline of the expense of governing British Kafraria, and of maintaining amity with the tribes beyond it. There is already a demand for British manufactures among the natives; the progress of civilization will, I trust, before long increase this demand; and the revenue be thus generally benefited.

I enclose extract copies of my recent reports from British Kafraria, together with a letter and statement from Colonel Mackinnon; by which your Lordship will perceive the manner in which the License Fund has hitherto been applied, and the progress which has been made in the formation of roads, &c., in British Kafraria.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) H. G. SMITH.

Encl. 1 in No. 5.

Enclosure 1 in No. 5.

SIR,

King William's Town, July 2, 1848.

HAVING given attentive consideration to the replies of the various missionaries, in British Kafraria, to a circular letter which your Excellency caused to be addressed to them, calling for their opinions respecting the best measures to pursue for the civilization and improvement of the Kafirs, and to a memorandum which your Excellency has transmitted to me

directing my attention to certain points in these replies, I now beg leave to offer such observations on this subject as my experience in this country suggests to me.

I have received from the following missionaries copies of their replies to the circular written by your Excellency's order: Messrs. M'Diarmid, Rayser, Warner, Laing and Weir (united), Schaltsheiss, Kroft, Ross, and Bonatz.

The principal points adverted to in these letters appear to me to be as follows:—

1st. A revenue to be obtained from the Kafirs by means of a capitation tax.

I commence with this subject, as it is of the greatest importance to ascertain what the pecuniary resources of British Kafraria are, independent of the aid which may be furnished from other quarters.

Your Excellency has suggested a capitation tax of 1*s.* per head annually on all Kafirs who can pay it. Mr. Warner, one of the missionaries, suggests 4*s.* or 5*s.* on all Kafirs above the age of circumcision.

I conceive that such a tax would be most difficult, if not impossible to raise; and that the attempt to raise it would render the Government most unpopular. To obtain the payment in money generally would be impossible, as few of the Kafirs, except those in the immediate neighbourhood of the military posts, possess money. They carry on their traffic with the traders by means of an interchange of commodities. It would therefore be necessary to look for some other means of obtaining this contribution. This could only be effected by requiring each tribe or kraal to pay a certain proportion of cattle, according to their numbers, as they will appear in the Census returns, and to sell these cattle on the Government account.

We might perhaps obtain this contribution in a peaceable manner from the Kafirs, who are under our immediate eye; but from the more distant ones we should have great difficulty in getting it paid, and should be involved in a continued petty war in attempting to enforce our demands.

I would also observe, that at the great meeting on the 7th January last, when your Excellency promulgated the laws under which the Kafirs were to live, and placed on record what may be termed the Magna Charta of Kafraria, no mention was made of our intention to impose any tax on them.

I think too it may be fairly assumed that the Kafirs contribute indirectly, in a large degree, to the colonial revenue. There are 38 general traders in the country, who can each afford to pay us 50*l.* annually for a license; they must consequently carry on a lucrative and extensive trade with the Kafirs. The articles which the Kafirs obtain from the traders are blankets, clothes, handkerchiefs, spades, axes, hoes, copper wire, beads, tobacco, sugar, rice, &c. The greater part of these are articles of British manufacture; and, if I mistake not, an *ad valorem* duty of 5 per cent. is paid for them to the Colonial Custom-house. The beads are, I believe, of foreign manufacture, and pay 12 per cent.; and on the tobacco, sugar, and rice, there is also a considerable duty. It is consequently evident that the colonial revenue must benefit very considerably by the Kafir trade.

There is another source of revenue derived principally from the Kafirs, viz., the money arising from the sale of the cattle fines which we impose on them for theft, and from unclaimed cattle and horses found straying. The payments which have been made by the Kafir Commissioners arising from this source during the expired portion of the present years are as follows:—

	£.	s.	d.
Jan. 24. By Captain Maclean to the Civil Commissioner of Albany, and paid by him to the Treasurer-General . . .	119	6	0
March 16. By Captain Maclean to the Military Chest . . .	100	13	0
March 27. By Mr. Brownlee to the Military Chest . . .	143	12	6
April 25. By Captain Maclean to the Military Chest . . .	16	18	6
May 8. By Mr. Brownlee to the Military Chest . . .	21	10	6
May 9. By Captain Maclean to the Military Chest . . .	17	7	6
Amounting to a total sum of . . .	419	8	0

We have at the present moment cattle to the value of more than 100*l.* in the different Government kraals, which will be sold for the benefit of the public. I may therefore say, that the amount arising from this source during the expired portion of the year is at least 500*l.*, and that this sum will be considerably increased from time to time, though it would be difficult to make any estimate of what it will amount to yearly. It will, however, always be very considerable, as we exact a fine for the Government, in cases of theft, of double the amount of the cattle stolen, after compensating the owner for his loss; the chiefs are, on some occasions, obliged to pay for the spoor of stolen cattle traced into their locations, and all horses and cattle found straying by the police are sold for the public benefit, if not claimed within a reasonable time. I brought this subject under your Excellency's notice in my letter of the 28th February (No. 8), and your Excellency directed that the money arising from this source should be paid into the military chest, which has accordingly been done.

I conceive that whatever monies are obtained from this source in each year should be laid out for the benefit of the Kafirs; the encouragement of agriculture, the furtherance of education and promotion of religion forming parts of this object.

I will in the succeeding observations suggest several modes of applying this fund. I would propose that the money thus obtained should be repaid by the Treasurer-General and the military chest, for the purpose of being appropriated under your Excellency's instructions for the benefit of the Kafirs. I think a public account, in the name of the Chief Commissioner,

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with the Eastern Province Bank, would be the most convenient form of deposit. The accounts of the receipts and expenditure of this fund could then be transmitted quarterly to your Excellency. The Kafir Commissioners should for the future be directed to pay all money which they thus obtain to this account.

On the other hand, I am of opinion that the money derived from the sale of licenses to trade should be laid out as heretofore in the improvement of roads, the construction of bridges, the draining and cleansing of the towns, the supplying them with water, and in various other modes, which will suggest themselves as circumstances arise, for the benefit of the European population. I transmitted to your Excellency, in my letter of the 1st instant, a detailed account of the receipts and expenditure of this fund; there are plenty of modes of applying it in the way above described, and I do not conceive that it would be just to apply it to the improvement of the Kafirs as long as we can obtain money for this improvement from the other source which I have adverted to, and as long as anything remains to be done which shall conduce to the convenience and comfort of the European population.

2nd. The encouragement of agriculture, model farms to be established, a superintendent of agriculture appointed, the Commissariat to purchase corn raised by the Kafirs.

I conceive that the best means we can employ to encourage agriculture amongst the Kafirs is, by furnishing the missionaries with ploughs, seed corn, and agricultural implements, such as spades, hoes, and axes, to fell the trees and clear the bush; to be used for the benefit of the Kafirs in the neighbourhood of their stations. In some cases too, where the chief shows a desire to cultivate the soil independent of the missionaries, ploughs and seed should be given to them, the Commissioner of the tribe being directed to see that they make proper use of them.

Your Excellency will see by the accompanying schedule that a very liberal supply of these articles has been ordered for the above-mentioned purposes; ploughs and seed for all the missionaries who have applied for them, and for the chiefs Umhala, Sandilli, Pato, Siwani, Toise, and Soga.

To give these articles indiscriminately to the Kafirs would do little good. It is an undeniable truth that where much is done for people they will do little for themselves: we have seen this lately illustrated on a gigantic scale in Ireland, and if I mistake not your Excellency will experience the truth of it in the military villages which have been formed on the frontier. Mr. Warner, and also Bonatz, two of the missionaries, advert to this: the former observes that the Kafirs value the agricultural implements which their own industry has enabled them to purchase, far more than if they had received them from the generosity of Government. The latter gentleman says that the Kafirs imagine that they get presents from the Government to induce them to keep peace with the colony. I think it desirable that the principle of making them presents of agricultural implements should not be carried to too great an extent, and that we should content ourselves with giving to those who will set an example, and thus create emulation.

To establish model farms would be of little use. The individuals appointed to conduct them would turn them to a source of profit for themselves, and care little about the Kafirs. I consider moreover that every mission station, with the aid which we give it, will be in itself the best model farm we can have. Neither do I think that a paid superintendent of agriculture would be of any use. His attention would be spread over too large a space to render it of any value.

The Kafir Commissioners and the missionaries are the best superintendents we can have.

Your Excellency has already, at the meeting on the 7th January, informed the Kafirs that the Commissariat shall purchase the corn which they raise; and when the time comes I will see that your wishes are attended to, and that preference is given to the Kafirs, where they are content with the average price of the colonial market for their produce.

3rdly. Aid to be given to the missionaries for the construction of water-courses. The construction of water-courses, even where military labour is available, is a very expensive matter. We are now re-constructing one at this place, to be paid for out of the License Fund, which will probably cost at least 200*l.*, besides the expense of keeping it in repair. Mr. McDiarmid, the missionary stationed at Burn's Hill, asks for a loan of 200*l.* to construct a water-course; and as your Excellency desired, I have directed the engineer officer stationed at Fort Cox to inspect the proposed line and report fully on it. I enclose his report, accompanied by a sketch.

Your Excellency will see that he calculates the expense of construction at 162*l.*, and of keeping it in repair at 10*l.* per annum. He, however, makes this calculation on the supposition that military labour would be available. This it would be impossible now to furnish, as the public works give ample occupation to every man. If the work were done by civil labour the expense would far exceed this estimate. Your Excellency will also see that Captain Tyldon considers that the whole work would be liable to destruction by the floods to which that part of the country is exposed. Moreover, I must observe that this water-course would not approach the post at Fort Cox, and would consequently be of no benefit to the garrison or the Europeans located there.

Under these circumstances I cannot recommend that the pecuniary aid asked for by Mr. McDiarmid should be given. It would expose us to demands of the same nature from all the mission stations where the water could be brought out. I conceive that we might afford aid for such works in taking the levels, and in selecting the best line for the courses, also that we might furnish the missionaries with implements for their construction; but the labour should be performed by the natives, and nothing of the kind which involves expense or engineering should be attempted.

There have been several of those water-courses constructed at the mission stations in former days without the aid of the Government. At this place the missionary, Mr. Brownlee, constructed one more than three miles in length. Mr. Rayser, and several other missionaries, have also constructed them.

4thly. Pecuniary aid to be given to the seminary at Lovedale, for the education of native schoolmasters. Elementary schools established at the mission stations, and native schoolmasters paid by Government.

I conceive that a part of the money arising from the sale of fines above adverted to could not be better employed than in furtherance of these objects.

Your Excellency desired that the seminary should be inspected and reported on. I requested Lieut.-Colonel Erskine, who commands at Fort Hare, to undertake this task, and I now enclose a copy of his report.

Your Excellency will see that the sum of 188*l.* which Sir George Berkeley recommended the Secretary-at-War to grant the missionaries, in compensation for the damage done to the seminary by the occupation of it by the troops during the war, has not yet been paid to them. If this sum were paid it appears that the missionaries, with very little more aid, could render their building fit for the original purposes. It appears from the report that there is accommodation for about 30 European and 20 native pupils.

Several of the missionaries recommend the enlargement of this establishment as the best means for promoting education amongst the Kafirs. I must observe, however, that the seminary of Lovedale is situated in the colonial district of Victoria, that it appears that the colonists send pupils to be educated there, and that some of these pupils are now employed in the service of Government in the colony; (*vide* letter from Messrs. Laing and Weir), it would, therefore, be but fair that the colony should contribute to the support of the seminary. I see by the estimates for this year that grants of this description are made out of the colonial funds under the head of "Gratuities in aid of Schools conducted by the Missionary Societies" to the amount of 131*l.*, but I am not aware whether the seminary at Lovedale receives any part of the sum thus appropriated.

I conceive that 100*l.* yearly might be appropriated out of the fund in British Kafraria arising from the sale of fines in aid of the seminary, and if the colony would contribute another 100*l.*, it would make up a handsome sum in furtherance of the object, and would enable the missionaries to increase their establishment.

It should, however, be made a condition that the native pupils instructed at this seminary should be available for the elementary schools at all the mission stations, whatever Society they may belong to. The seminary might be visited and reported on twice a year by the Civil Commissioner of Victoria and myself at the period of my half-yearly inspection of the troops at Fort Hare, and it would be our duty to see that the money thus appropriated by the colony, and out of the funds of British Kafraria, is expended with advantage and for the purpose intended.

I conceive that a small salary for native schoolmasters educated at the seminary, and established at the different mission stations throughout Kafraria, say 12*l.* yearly (the sum specified by Mr. Kaser), would be a good mode of applying part of the fund arising from the sale of fines, and I conceive that the amount of this fund would enable us to give a salary to the native schoolmasters.

5thly. The Kafirs to be encouraged in the use of European clothing. The articles of clothing sold to them to be inspected.

In the list of presents which I forwarded to your Excellency to be procured from home for the next annual meeting of the chiefs, I recommended that the chiefs and their counsellors should each receive a suit of clothing, and that after that period no chief or counsellor should be allowed to approach me or any other of the Commissioners unless he is clothed.

I think the example of the chiefs in this respect will have a good effect, though it will be many years before the Kafirs generally will be induced to wear clothing. Blankets they buy in great quantities, and the sale of these is one of the great sources of profit to the traders.

An inspection of the articles of clothing sold to the Kafirs with the view to prevent the trader selling them worthless articles would be most difficult to carry out. When we bear in mind that there are 38 general traders scattered over the country, and that the Kafirs come at all hours of the day to make purchases, I do not see how I could exercise a control in this matter. The trader might object to such an interference as inquisitorial and unfair on him when he pays so large a sum yearly for his licence. I have always seen justice done when a Kafir has complained to me of a worthless article being sold to him; but I think that this evil will find its own remedy: the Kafirs are very good judges of blankets, and examine them closely before they make their bargain; they will doubtless acquire a knowledge of the value of the different articles of clothing when they have become more generally in use.

6thly. The sale of red clay, beads and baubles to be prohibited.

In order to put a stop to the filthy practice which the Kafirs have of bedaubing themselves with red clay, I have directed the officers commanding the different ports to stop all trade at the shop of any tradesman who shall be detected selling this article. I have also directed the subordinate Commissioners not to allow any Kafirs to approach them who has been using it on his person.

The sale of beads and baubles amongst a savage people who have so strong a love of them it would not be easy to prevent. They are a source of considerable profit to the trader, and we must be careful not to put too many restrictions on him. Moreover the practice which the Kafirs have of ornamenting themselves with such articles is perfectly innocent and hurts no one. As civilization progresses amongst them, they will doubtless purchase articles of greater utility in preference to these.

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I have, as your Excellency will have observed, not included articles of this description in the list of presents which I forwarded to you on the 19th April, and on a recent occasion when Mr. Fynn suggested that such articles should be included in the presents to be sent to the Chief Faku, I struck them out of the list and substituted articles of utility.

7thly. Kafir youths to be sent into the colony with a view to their obtaining instruction in agriculture, and learning civilized habits.

In obedience to your Excellency's instructions, the Kafir Commissioners have forwarded a great number of Kafirs to the colony, for colonial service, as my reports on this subject will show.

Whether this system will be productive of good, or otherwise, is a question which I profess myself wholly unable to determine. Those who are sent into the colony for service when young, will doubtless, if they ever return, bring back some useful knowledge; but there is a disinclination on the part of the parents, to part with their offspring for this purpose, particularly for the purpose of proceeding to the districts remote from the border. I do not think it advisable to allow the Kafirs to enter colonial service in the districts adjacent to the border of Kafraria. There are at this moment far too many of them there, and I believe that the greater part of the robberies of cattle which take place, are to be ascribed to this cause. They will rarely fulfil the term of service or apprenticeship for which they engage, and on leaving their master, they will probably carry off some of his property with them, or having acquired a knowledge of his premises, will return at a future time and take it.

I believe I have now touched on the principal points adverted to by the various missionaries in their replies, though there are doubtless many other subjects mentioned by them, on which I might comment, not, however, in my opinion of such importance as those which I have selected.

I would observe in conclusion, that I conceive too great importance is attached generally by the missionaries, to what I may term attempting to civilize the Kafir by bringing him into contact with the European. I have great doubts whether a savage is improved by this contact. He is quick to acquire our vices, but can rarely be brought to imitate our virtues. I would instance, in this country, those Kafir chiefs who have associated the most with the colonists; they are nearly all of them given to drink when they can obtain it. My experience in North America led me to the same conclusion when there. I have there seen the savage in his primitive state possessing many valuable and noble qualities, but I found invariably, that whenever he came in contact with the Europeans, he became a drunkard and a vagabond.

I have, &c.

(Signed)

GEORGE MACKINNON,
Colonial Chief Commissioner.

His Excellency the High Commissioner,
&c. &c. &c.

Encl. 2 in No. 5.

Enclosure 2 in No. 5.

EXTRACT of a LETTER from Colonel MACKINNON, Chief Commissioner, &c., in British Kafraria, dated 17th July, 1848.

THE Depredation Returns which your Excellency will receive with this, furnish the best possible proof that the chiefs work cordially with us. They have themselves paid or collected the fine in all cases in which spoor has been traced to their locations, and the thieves not discovered.

(True extract.)

JOHN GARVOCK, Major,
Private Secretary.

RETURN of Colonial Property reported Stolen from the 1st to the 30th June, 1848.

Dates.		From whom Stolen.	Stolen.			Location traced to.	Thief.	Recovered.			Fine.		REMARKS.
Stolen.	Reported.		Horses.	Cattle.	Sheep.			Horses.	Cattle.	Sheep.	Horses.	Cattle.	
June 6 .	June 11 .	Mr. Ackerman, of the Kat River.	..	6	..	Retaken in the colony	Not known . . .	..	6	..	..	..	Retaken by the Kafir police.
June 11 .	June 14 .	Mr. Ackerman, of the Kat River.	..	3	..	Retaken in the colony	Not known . . .	..	3	..	..	..	Retaken by Mr. Mildenhall's servants from four Kafirs, who escaped.
June 15 .	June 17 .	Mr. Nell, of Konap . .	..	10	..	Kona	Not known . . .	..	10	..	..	..	Retaken by a counsellor of Kona's from the thieves, who were driving the cattle past his kraal during the night, and made their escape. Cattle restored to the owner.
Not known	June 16 .	Mr. Mildenhall, of Fort Beaufort.	..	10	..	Kona	Nogabe	..	..	..	..	23	The stolen cattle were taken to the kraal of Makai, a counsellor of Makomo's. Makai paid the fine. Fifteen head of cattle given to Mr. Mildenhall. Thief brought in by Kona, and delivered to the colonial authorities.
June 12 .	June 13 .	Mr. Stanton, of Fort Beaufort.	..	8	..	Botman	Not known . . .	..	..	..	..	10	Spoor obliterated. Compensation levied by Botman on kraals near where the spoor was lost. The 10 head levied by Botman not being equivalent to the loss, four of Makai's cattle were given to Mr. Stanton in addition.
Not known	June 24 .	Mr. Knott, Konap . .	..	7	..	Tebe's or Tyali's .	Not known . . .	..	..	..	..	10	The spoor of five only were traced, but not to any kraal. Fine paid by contribution, and to be given to Mr. Knott, on application.
June 26 .	July 2 .	Mrs. Edwards, of the Winterberg.	..	18	..	Sandilli's. . . .	Xalo and Masindaba	..	15	..	..	12	Xalo escaped, Masindaba was brought in by Tyali's people. Cattle which were recovered, and six head in addition, handed over to Mrs. Edwards. Five head given to men who brought in the thief, who was handed over to the colonial authorities.
June 28 .	Not reported	Hans Nuka	..	3	..	Sandilli's. . . .	Dunga and Dye . .	..	2	..	..	6	Dunga was brought in by Tyali's people. The fine was paid by the head of the kraal where the cattle were found. The cattle which were recovered, and two head in compensation for one which was killed, handed over to Hans Nuka. Three head given to the men who brought in the thief, who was handed over to the colonial authorities.

RETURN of Depredations in British Kafraria, from the 1st to the 30th June, 1848.

Date.		From whom Stolen.	Location Stolen from.	Stolen.			Location traced to.	Thief.	Recovered.				Fines.		REMARKS.
Stolen.	Reported.			Horses.	Cattle.	Sheep.			Horses.	Cattle.	Sheep.	Horses.	Cattle.		
May 23 .	Not reported	Mr. Annan	Fort Murray	..	1	..	Siwane's . . .	Not discovered .	..	..	..	..	4	..	The fine was paid by Siwani for the spoor which was traced into his location and lost.
May 23 .	May 24 .	Mr. Webb	Mount Coke	1	..	..	Pato's	Not discovered .	..	..	..	..	4	..	Fine was paid by Pato for the spoor being traced to his location and lost. Mr. Webb received two head of cattle as compensation for the horse, which was valued at 3/.
Not reported	Not reported	Buku's people, living under Toise.	Toise	..	20	..	Pato's	Lemba and Um-bembe.	..	20	..	..	..	..	The thieves offered themselves to the T'Siambe Commissioner to take colonial service, but their having cattle excited suspicion. They were apprehended, and confessed the theft, which they stated was in retaliation for a theft of 10 head of cattle during the war.
June 26 .	Not reported	Umngotylene and Umgaba	Stocks	2	..	..	Sandilli's . . .	Nabi and Kasana	2	..	..	..	2	..	In addition to the fine, the thieves received 35 laashes each. They offered the horses which they had stolen for sale at Fort Cox. Several losses of cattle have been reported at King William's Town; but as it appeared that the cattle had not been properly kraaled and guarded, it is not known whether they were stolen, or whether they strayed, and the cases are therefore not noticed as depredations.

GEO. MACKINNON, Colonel and Chief Commissioner.

CAPE OF GOOD
HOPE.

Encl. 3 in No. 5.

SIR,

Enclosure 3 in No. 5.

King William's Town, July 1, 1848.

I HAVE the honour of transmitting herewith a statement of moneys received and expended by the Board for roads of British Kafraria for the six months ending the 30th June.

Your Excellency will observe that the disbursements have hitherto, in comparison with the receipts, been small. I must, however, observe that the amount received is for the whole year, and that probably there will not be any considerable addition to it in the remaining half-year. The improvement of the roads, mending the drifts, and the construction of bridges, has been much impeded, and, I may say, impossible to undertake, during the continued wet season. Moreover, a large proportion of the moneys received, viz., 427*l.* 10*s.*, is for licenses taken out at East London, which, being now a part of the colony, will not in future form part of the receipts, on account of the License Fund for British Kafraria. As the season is now become more favourable, I will give directions for the recommencement of a number of works of public utility which the Board has sanctioned.

I think it desirable, however, not to exhaust the whole of our funds during the present year, as my impression is that the number of licenses for general trade will diminish, from arrangements which the traders will probably make amongst themselves for entering into partnership; and several establishments being thus thrown into one, paying for only one license.

I have, &c.,

GEO. MACKINNON,

Colonel and Chief Commissioner.

His Excellency the High Commissioner,
&c. &c. &c.

BOARD OF ROADS for BRITISH KAFRARIA (1st January to 30th June, 1848).

Dr.			Cr.		
1848		£. s. d.	1848		£. s. d.
June 30	To amount paid Lieut. Stokes, Royal Engineers, for general superintendence of works ordered by Board of Roads in neighbourhood of King William's Town.	34 16 0	June 30	King William's Town.—By 13 general traders' licenses, at 50 <i>l.</i> each	650 0 0
	To amount paid for repairs of road near King William's Town.	6 4 2		By 2 hotel licenses, at 20 <i>l.</i>	40 0 0
	To amount paid for tracing and laying out Town of King William's Town.	7 16 5½		By 31 working trades-people's licenses, at 3 <i>l.</i> 15 <i>s.</i>	116 5 0
	To amount paid for re-constructing water canal, King William's Town.	104 10 6½		East London.—By 8 general traders' licenses, at 50 <i>l.</i>	400 0 0
	To amount paid for repairs of road from King William's Town to Fort Waterloo.	3 6 0		By 1 hotel-keeper's license	20 0 0
	To amount paid for repairs of middle drift over Kieskamma River, on road to Fort Hare.	64 16 6		By 2 working trades-people's licenses, at 3 <i>l.</i> 15 <i>s.</i>	7 10 0
	To amount paid for repairs of drift over Debe River	1 1 4		Fort Grey.—By 5 general traders' licenses, at 50 <i>l.</i>	250 0 0
	To amount paid for repairs of road from Need's Camp to East London.	105 15 2		Fort Hare.—By 2 general traders' licenses, at 50 <i>l.</i>	100 0 0
	To amount paid for drainage and improvement at East London	40 0 0		By 1 working trades-people's license	3 15 0
	To amount paid for making bridge over Chumie River at Fort Hare	30 0 0		Fort Cox.—By 3 general traders' licenses, at 50 <i>l.</i>	150 0 0
	To amount paid for repairs of road near Fort Murray	15 4 2		By 2 working trades-people's licenses, at 3 <i>l.</i> 15 <i>s.</i>	7 10 0
	Total Expended	413 10 4½		Fort Murray.—By 1 general trader's license	50 0 0
June 30	Balance Credit	1692 14 7½		Fort Waterloo.—By 3 general traders' licenses, at 50 <i>l.</i>	150 0 0
				Fort White.—By 1 general trader's license	50 0 0
				Peris (Forest).—By 3 licenses to cut timber, at 3 <i>l.</i> 15 <i>s.</i>	11 5 0
				East of the Kei.—By 2 general traders' licenses, at 50 <i>l.</i>	100 0 0
	Total	2106 5 0		Total	2106 5 0

British Kafraria, King William's Town,
30th June, 1848.(Signed) GEO. MACKINNON,
Colonel, and Chief Commissioner.

(No. 128.)

No. 6.

CAPE OF GOOD
HOPE.COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

No. 6.

Answered Nov. 8,
1848, No. 214,
page 44.

Government House, Cape Town, July 29, 1848.

MY LORD,

(Received October 9, 1848.)

IN my Despatch, No. 1, of the 1st January last,* I alluded to the inducements which had been held out to the Hottentots who had enlisted in the Hottentot levies during the Kafir war, to remain in British Kafirland, to be located there with their families, or to return thither with them, after they should be discharged.

Among these, as sanctioned by Sir Henry Pottinger on the 15th of March, 1847, was the promise of a salary of 200*l.* a-year to a missionary, who should accompany the Hottentot families, and locate among them, as also rations for himself and family for a few years, and further, the appropriation for the use of the Moravian brethren of a sufficient quantity of land for an institution to enable them to locate upon it under their own regulations, any other persons, as well as Hottentots, who might wish, and they might be willing to receive as members of the institution.

On the 10th March, 1848, however, previously to any of the Hottentot families having proceeded to the frontier, I caused a communication to be addressed to the Rev. C. L. Teutsch, superintending missionary of the Moravian institutions in this colony, and who afterwards accompanied the Hottentot families to the place of their location, acquainting him with the terms, as modified by me, upon which these persons were to proceed to British Kafraria, and be located there on the Beka River, namely:—

That a Moravian missionary should accompany them, whose time will be devoted to their religious and secular instruction; that his expenses to the location would be borne by the Government, and that he would be allowed 100*l.* for the first year.

And with regard to the establishment of a Moravian missionary institution, by means of which the settlers would have the additional benefit of a good example continually before their eyes, and further religious instruction at their command, Mr. Teutsch was informed at the same time, that for such a purpose I would be prepared to make a location of 3000 morgen of land to be held, built on, and cultivated so long as it should continue in that character, but if abandoned by the mission, the land would revert to the Government, and Mr. Teutsch was subsequently informed, with reference to a proposal made by him to establish a missionary institution among the heathen Kafirs in British Kafraria, if land would be granted to him for that purpose, that I could not accede to it.

These terms, in addition to the grant, in freehold, of from three to six morgen of land to each Hottentot family, and their being supplied with rations until they could raise a crop for themselves, as also seed for their first year's crop, were subsequently accepted by the Moravian brethren, and several Hottentot families with their pastor, are, I am glad to inform your Lordship, now comfortably settled and busily employed in ploughing on the Beka River, thus forming another sort of military village on the immediate Kafir frontier.

I have accordingly to request your Lordship may be pleased to sanction the above-mentioned arrangements, including the allowance of 100*l.* which I have authorized to be granted for one year only, for the Moravian missionary, established among these Hottentots, and which, I beg leave at the same time to recommend I may be empowered to continue to him if I should find it expedient so to do.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) H. G. SMITH.

* *Vide* page 31 of Kafir Papers, presented to both Houses of Parliament by Command, July, 1848.

CAPE OF GOOD
HOPE.

(No. 131.)

No. 7.

No. 7.

Answered Jan. 30,
1849, No. 259, page
44.COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.Government House, Cape of Good Hope,
July 29, 1848.

(Received October 24, 1848.)

MY LORD,

I HAVE the honour to submit for Her Majesty's gracious allowance the accompanying Ordinance, No. 3 of 1848, "To amend the Ordinance No. 49," enacted by me with the consent and advice of the Legislative Council.

Ordinance No. 3,
1848.* Page 5 of this
paper.

With my Despatch, No. 51* of the 23rd of March last, I transmitted to your Lordship a Proclamation under my hand, dated the 8th of March, 1848, containing the conditions upon which Kafir youths were to be introduced into the colony for the purpose of being indentured to agriculturists and other persons resident in it. It was, however, subsequently discovered that the provisions of the Proclamation above referred to were, in some respects, repugnant to the provisions of Ordinance 49 of 1828, intituled "Ordinance for the admission into the colony, under certain restrictions, of persons belonging to tribes beyond the frontier thereof, and for regulating the manner of their employment as free labourers in the service of the colonists," and hence has originated the necessity of enacting the Ordinance which I now have the honour to transmit for the sanction and approval of Her Majesty.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c.

(Signed) H. G. SMITH.

Enclosure in No. 7.

Enclosure 1 in No. 7.

ORDINANCE enacted by the Governor of the Colony of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof,

To amend the Ordinance No. 49.

Preamble.

WHEREAS his Excellency Sir Henry George Wakelyn Smith, Bart., G.C.B., &c., &c., administrator of the Government of the settlement of the Cape of Good Hope, and Her Majesty's High Commissioner for settling and adjusting the affairs of the territories in Southern Africa, adjacent or contiguous to the said settlement, did, by his Proclamation bearing date the 27th of January, 1848, refer to the introduction into this colony of Kafir youths to be apprenticed to farmers and others, and provide rules and regulations to be observed in the apprenticing of the said youths, together with a form of indenture to be used in such cases: And, whereas the provisions of the said Proclamation are in certain respects repugnant to or inconsistent with the provisions of the Ordinance No. 49, bearing date the 14th of July, 1828, intituled "Ordinance for the admission into the colony, under certain restrictions, of persons belonging to tribes beyond the frontier thereof, and for regulating the manner of their employment, as free labourers, in the service of the colonists:" Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, that so much of the said Ordinance No. 49 as is repugnant to, or inconsistent with, any of the provisions of the said Proclamation shall be repealed, and the same is hereby repealed accordingly.

So much of Ordinance
No. 49, as is repugnant
to or inconsistent with
this Ordinance,
repealed.

The Proclamation of
the 27th Jan., 1848,
and all indentures
executed under its pro-
visions, declared legal.
Ordinance, when to
commence.

2. And be it enacted, that it shall and may be lawful for all resident magistrates, and all others, to carry into effect the provisions of the said Proclamation, of which a copy is hereunto annexed, and that every indenture executed, or to be executed, under or in pursuance of the said provisions, shall be binding and effectual to all intents and purposes.

3. And be it enacted, that this Ordinance shall commence and take effect from and after the promulgation thereof.

SCHEDULE.

PROCLAMATION.

WHEREAS the introduction into this colony (or such districts of the same as are sufficiently removed from the eastern frontier thereof) of Kafir youths, to be apprenticed to farmers or others, would greatly tend to the promotion amongst them of Christianity, civilization, and industrious habits, and, at the same time, tend in some degree to supply the want of field and other labour, which the inhabitants experience: And whereas the results which have attended the system of apprenticing, with care and attention, captured negroes set free from slavery, have been such as to show that Kafir youths will be sure of finding humane and kind treatment, and in time be enabled to improve themselves and benefit the colony, in a degree proportionate to their known natural capacity: And whereas, in order to secure the social advantages aforesaid, I have made, and caused to be made, to the subjugated chiefs and people, strong representations in regard to the benefit which would accrue to their now very destitute,

and wholly ignorant and helpless youths, were they placed under the care and protection of the colonial government, in order to be apprenticed to carefully selected masters, whose duty it should be to feed, clothe, and instruct them: And whereas, I have reason to believe that a considerable number of Kafir youths of different ages will be voluntarily, and from time to time, placed in my hands for the purpose aforesaid, whom it is my intention to send to the several districts of this colony, as I may, from time to time, deem suitable: And whereas it is necessary to make known the rules and regulations under which the said youths will be apprenticed. Now, therefore, I do hereby proclaim, declare, and make known, that the following rules and regulations shall be strictly observed:—

1. Every apprentice shall be apprenticed by an indenture, as much as may be in the same form as the blank indenture hereto annexed.

2. Every such indenture shall be executed by the resident magistrate of the district, acting for the apprentice on the one part, and by the master on the other part.

3. Every apprentice under fifteen years of age may be apprenticed to a trade, or as a farm or domestic servant, till he attain the age of eighteen years.

4. Every apprentice of the age of fifteen years, or upwards, may be apprenticed for a term not exceeding three years.

5. Every indenture shall be executed in duplicate, one copy to be delivered to the master, and the other copy to be preserved of record in the office of the resident magistrate, who shall make periodical returns of the contracts of every such indenture, in such manner as he shall hereafter be directed.

And I do further proclaim, declare, and make known, that all resident magistrates, who shall, or may, be called upon to act in or about the apprenticing of any of the young persons aforesaid, are enjoined and expected to exercise their best and most anxious discretion in selecting from amongst the inhabitants applying for such apprentices, fitting masters or mistresses; and to take steps, from time to time, to ascertain that the terms and conditions of the indentures entered into are duly fulfilled, and generally to endeavour, as much as in them lies, to secure the well-working of the present attempt to add to the scanty supply of colonial labour; and at the same time by reclaiming from a life of idleness, ignorance, and lawlessness, a number of the youths of British Kafiraria, to contribute, together with the other measures now in progress, to the peace, good order, and gradual advancement of that important province.

District of

THIS INDENTURE, made the day of , in the year of our Lord, One thousand eight hundred and forty- , between , the resident magistrate of the district of the one part, and of in the said district of the other part,

WITNESSETH, that the said hath put out, and bound, and doth hereby put out, and bind, a certain male Kafir, named , about the age of years, feet inches in height; or by whatsoever other name, age, or height, the said shall hereafter be known or distinguished, apprentice to the said from the date hereof, for and during the term of years from thence next ensuing, if the said apprentice shall so long live, to serve the said in the craft, trade, or employment of , in the colony of the Cape of

Good Hope.

And the said in consideration of such apprenticeship, doth hereby for self, heirs, executors, and administrators, covenant, promise, and agree, to and with the said acting for the said apprentice, in manner and form following, that is to say, that the said shall and will diligently and faithfully instruct and teach, or cause to be instructed and taught, the said apprentice, in the craft, trade, or employment of , and in all things whatever relating, incident, or belonging thereto, during the said term. And also, that the said shall and will provide and allow to the said apprentice, sufficient decent, and comfortable food and clothing, lodging, medical assistance, medicines, and other necessaries, during the said term of service. And also shall and will pay and allow to the said apprentice, the wages or remuneration following, that is to say, And also shall and will cause the said apprentice to be carefully instructed, and as speedily as possible, in the Christian religion, and to be taken, when sufficiently instructed, to be baptized; and also shall and will permit, and suffer and encourage, the said apprentice to attend public worship. And also shall and will from time to time, and at any time when thereunto requested by the resident magistrate of the district aforesaid, for the time being, or by any other person by the said resident magistrate thereunto authorized in writing, produce the said apprentice for inspection and examination, and shall not, nor will, alter or change the name of the said apprentice, and when the said apprentice shall have been baptized, that then and in such case the said shall and will immediately cause notice thereof to be given to the said resident magistrate for the time being, in order that the identity of such apprentice may at all times thereafter be known and distinguished.

And the said doth hereby for self, heirs, executors, and administrators, further covenant, promise, and agree, to and with the said in manner and form following, that is to say, that the said , or any person or persons, by direction or permission, shall not, nor will, during the term aforesaid, treat, or wittingly or willingly cause, permit, or suffer to be treated with hardship or severity, the said apprentice, nor will assign the said apprentice to any other person or persons whomsoever, or send, or permit, or suffer, or cause, or procure to be sent, the said apprentice to any other colony, island, or place, than the said colony of the Cape of Good Hope, without the previous license, in writing, of the resident magistrate of the said district for the time being. And in case of any default or neglect in the due performance of all or any of the aforesaid covenants, which, on the part and behalf of the said are to be done, kept, and performed, all right and title to the further service of the said apprentice shall, at the election of the resident magistrate of the said district for the time being, be forfeited, and the terms of apprenticeship, hereinbefore mentioned, shall thenceforth, should he think proper, absolutely cease and determine.

Provided always, and it is hereby declared and agreed, that in case the said shall happen to depart this life before the expiration of the said term hereinbefore mentioned, then, and in that case, all right and title of the said executors and administrators, in and to the services of

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the said apprentice shall thereafter cease and determine to all intents and purposes whatsoever, as if this indenture had not been made. And the resident magistrate of the said district for the time being shall and may be at free liberty again to put out and apprentice the said apprentice to such or other person or persons as he, in his discretion, shall deem expedient for that purpose, for the remainder of the said term, without any molestation or interruption whatsoever from the executors or administrators of the said

And, lastly, for the due and faithful performance of all and every the several covenants, clauses, and agreements hereinbefore mentioned and contained, which, by and on the part and behalf of the said

are to be done, kept, and performed in manner and form aforesaid, the said doth hereby bind self, heirs, executors, and administrators, and person and property according to law.

And, lastly, it is hereby further agreed and declared, that it shall and may be lawful to and for the resident magistrate of the said district for the time being, or any other person authorized thereto by his Excellency the Governor of this colony, for the time being, to commence and prosecute, have, sue for, recover and receive, but on behalf of Her Majesty, her heirs and successors, any action or actions, suit or suits, or other proceeding or proceedings, on foot of this indenture, for obtaining redress, and for the protection of the said apprentice, or otherwise, according to the law of the said colony, and to issue execution thereon.

In witness whereof, the said parties to those presents have hereunto set their hands and seals, the day and year first above written.

GOD SAVE THE QUEEN !

Given at the Cape of Good Hope, this 27th day of June, 1847.

By command of his Excellency the Governor,

JOHN MONTAGU,
Secretary to Government.

By Order of the Legislative Council,

WILLIAM HOPE,
Clerk of the Legislative Council.

No. 8. (No. 158.)

No. 8.

Answered Jan. 30,
1849, No. 259, page
44.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Camp, Winberg, September 11, 1848.

(Received December 14, 1848.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Confidential Despatch of the 6th June* last, communicating your Lordship's doubts as to the complete legality and the constitutional character of a measure announced in my Despatch No. 51,† of the 23rd March last, for removing Kafir youths from their country, and binding them as apprentices to masters within the colony. Your Lordship's Despatch further points out the distinction between the case of these youths and the liberated Africans apprenticed in this colony, and suggests that some legislative provision may be necessary for carrying out the proposed measure.

In reply, I beg to refer your Lordship to my Despatch No. 131,‡ of the 29th July last, transmitting the Ordinance No. 3, of 1848, passed by the Legislative Council with a view to obviate the difficulties pointed out by your Lordship; and in now expressing my hope that all obstacles to what I trust will prove a beneficial measure, have been removed, I beg to thank your Lordship for the considerate manner in which your doubts upon this subject have been communicated, and to add my assurance that no care or diligence on my part shall be wanting to render all my future measures perfectly in accordance with those sound legal and constitutional principles, upon the observance of which, the prosperity of the community must always mainly depend.

I have, &c.,

H. G. SMITH.

The Right Hon. Earl Grey,
&c. &c. &c.

* Page 42 of this
paper.

† Page 5 of this
paper.

‡ Page 26 of this
paper.

(No. 171.)

No. 9.

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No. 9.EXTRACT of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B.,
to Earl GREY, dated Government House, Cape Town, October 21, 1848.

(Received December 28, 1848.)

" 1. I HAVE the honour to report my return this day to the seat of Government.

" 2. Subsequently to the date of my Despatch of the 18th* ultimo, I have made an extended tour through the eastern districts of the colony. On leaving Smithfield I crossed the Orange River at Buffel's Bley, in the district of Albert, where I propose to establish a town, to be called, at the request of many of the neighbouring inhabitants, Aliwal. This place, situated as it is on the direct line from Port Elizabeth as well as East London, will, ere long, become an important resort for traders, seeking to supply the natives of Moshesh and the Boers of the Caledon River. From Baffels' Bley I proceeded to Burgher's Dorp, the present seat of magistracy, the removal of which to Aliwal, at some future period, I have in contemplation; thence to Cradock, Graaff Reinet, Somerset, and Fort Beaufort. At all these places I was happy to find, that the most loyal feelings prevail towards Her Majesty; as well as gratitude to myself for the prompt measures I have adopted, for the suppression of the rebellion beyond the Orange River and the protection of the well-disposed inhabitants, who had so earnestly prayed for a regular form of government. These feelings are so well expressed in the addresses, copies of which I enclose, numbered 1 to 7, that no farther comment is required. All these districts are in a most flourishing and improving condition. I then visited the military villages of Ely, Juannasberg, Woburn, and Auckland. Those of Ely and Woburn are in a most prosperous and flourishing state; their gardens are already quite luxuriant, and their crops very promising. The land in the vicinity of Juannasberg and Auckland being of a colder quality; the appearance of these two villages is not so good; they are however doing well. Many of the original settlers have abandoned their grant, but the industrious and well disposed remain, and are cheerful and satisfied with their prospects. I then proceeded, *via* Fort Hare, Fort Cox, and Fort White, to King William's Town. The military buildings at Fort Cox are on the eve of completion. Fort White is a perfect little village of temporary, but good huts; and every soldier has a garden of his own. I do not now propose to construct any permanent buildings at this post, which I had previously stated it was my intention to do; the present answer every purpose, and expense will thus be avoided. I reached King William's Town on the 6th October; it has already grown into a pretty town composed of military and numerous traders,* and, under the able rule of Colonel Mackinnon, will form a most important nucleus for civilization. I enclose a copy of an address from the traders, praying that English law may be extended to this town; this, however, it is expedient for many reasons to delay. It gratified me to perceive between 200 and 300 Kafirs of both sexes hard at work in building houses, and aiding in the cultivation of the gardens, which, irrigated from the waters of the Buffalo, are in a thriving and luxuriant condition. The employment in this manner of so many Kafirs at the great post, is important; teaching at once habits of industry and the use of money; many of them are likewise employed at the other posts. On the day following I held a great meeting of the chiefs, all of whom, whose villages lay near my route, had come out to meet and welcome me on my way. Nothing could be more generally satisfactory than this meeting, of the proceedings of which I enclose a sort of Minute, which will show all that was done upon the occasion. I shall only here mention, that, perceiving a doubt still existed in the minds of the Kafirs as to the permanency of the present happy order of things, which they were evidently apprehensive might, as heretofore, be relinquished, I threw emblematically upon the ground Her Majesty's commands conveyed by your Lordship, confirming the system of rule established in Kafraria; following up this assertion by the display of the great magic staff. A buzz of general contentment and satisfaction was immediately elicited, showing the confidence which is reposed in the present order of things. The Lord Bishop of Cape Town was present, and the emphatic manner in which he explained to the Kafir chiefs his desire to benefit them, appeared to be fully felt and appreciated. The Kafirs are now another people, regarding us as their friends, not their enemies, and their loss in cattle has been so great, that

Encl. No. 1.

These addresses are printed with the Natal Papers, presented by Command May, 1849.

* Vide No. 7 of the above addresses.

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their exertions now necessarily tend to cultivation. The Lord Bishop laid the foundation stone of a military chapel at King William's Town, towards the erection of which 140*l.* were subscribed on the spot; I also laid the corner stone of a Wesleyan place of worship; and trust, at some future day, to perform this ceremony for a Kafir chapel. We must however progress gradually, and not attempt to force on, or jump into, that, which time and Divine influence can alone accomplish.

"3. The Kafir police is in excellent order, and is most efficient, and so popular is it, that the greatest punishment which can be inflicted on a policeman, is dismissal. It has never, except upon one occasion, been foiled in tracing theft and apprehending the delinquents; but the ordinary course of law within British Kafraria is carried on by means of civil messengers bearing the stick of office.

"4. The paramount chief 'Kreili,' arrived too late for the meeting. I waited for some time, in order to see him, and set out only half an hour before he reached King William's Town. He galloped after me, overtook me, and nothing could be more interesting than our meeting, of which I enclose a sort of record, marked No. 3. I attach importance to his confidence in me, and to the cheerful and really affectionate manner in which he continually kissed my hand, and greeted me as 'great chief;' the chiefs of British Kafraria looking on with delight I would fain describe, frequently mentioning some anecdote connected with their present happy condition. The cattle sent in by Kreili to indemnify the Wesleyan Mission for the burning of their station, have realized upwards of 400*l.*

"5. The whole of the Kafirs were delighted to see me, report having declared me killed by the Boers. I dwelt much at the meeting upon the Trans-Orange River affair; far more than I should have done, had I not considered it expedient to exemplify the rapidity with which Her Majesty's troops can suppress disorder. The Kafirs have a high opinion of the military prowess of a Boer, and the result of my expedition made therefore the greater impression.

"6. I visited Fort Murray, where the few military buildings required are rapidly progressing. I shall not erect any permanent buildings at Fort Grey or Fort Waterloo, and another great saving will thus be effected. The men are comfortably hutted, have good gardens, and nothing more is required. Thus at three posts, at which, previously to the happy development of the success of the present system, I had contemplated an expenditure in the construction of buildings, no outlay is now necessary; which affords me the greater satisfaction, my first object being, in conformity with your Lordship's marked instructions, to avoid expense whenever practicable to do so. At Fort Glamorgan, which, being so near East London, must be a permanent station, the public buildings are far advanced.

"7. From King William's Town I proceeded to Fort Peddie, in the district of Victoria, where a neat village is rapidly rising. With the able assistance of the Rev. Mr. Calderwood, the Civil Commissioner, and under his immediate direction, I have located in what was formerly termed the 'Neutral Territory,' a considerable number of Fingoes. For their rule I have adopted a plan suggested by him, for dividing them into four townships, under the charge of a British superintendent, with a salary of 100*l.* a-year, and one of their own people. Each head of a family will pay an annual rent of 1*l.*, and their rural organization will thus be provided for, together with schoolmasters, through the medium alone of their own contribution. This is a measure fraught with good; for one of the greatest evils to contend with upon this frontier, is the existence of a vagrant set of the coloured classes, having no fixed residence, and knowing no rule or self-control. I have also established two military villages of Hottentots on this line, which are progressing favourably. Much assistance in carrying out these arrangements is derived from the Rev. Mr. Dugmore, a Wesleyan missionary in this neighbourhood, who aids in the zealous endeavours of Mr. Calderwood to establish rule and order. Under the able auspices of the latter, the seat of magistracy of Victoria, 'Alice Town,' near Fort Hare, has become already flourishing, and is rapidly increasing.

"8. On leaving Fort Peddie, I proceeded to Waterloo Bay, from which I have withdrawn the detachment of troops. Although of vast importance, I understand, during the late war, for landing Commissariat supplies, it will never be a port, the nature of the bay renders this impossible. I then went to Bathurst and to the mouth of the Kowie River, on the very important subject of which I shall hereafter separately address your Lordship. I was astonished

Encl. No. 3.

at the extent and beauty of the cultivation in this part of Albany; but in the absence of a port for shipment to Cape Town and the Mauritius, the value of the produce is nearly lost. I hope to remedy this deficiency by the construction of a harbour at the mouth of the Kowie, so soon as the engineer arrives, whom I have requested to be sent out.

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"9. From this part of the coast I proceeded to Graham's Town, where I was received with every demonstration of respect. I enclose a sort of programme of my visit, with copies of addresses, &c. The subject of a separate and distinct Government has been again agitated; and which I hope I have successfully combated by an endeavour to prove not only its inutility, but that at present it would militate against the general interests of the colony."*

Enclosure 1 in No. 9.

Encl. 1 in No. 9.

MEETING OF KAFIR CHIEFS.

By express we have received this morning a report of the meeting held on Saturday, 7th October, between his Excellency Sir Harry Smith, Her Majesty Commissioner, and the several chiefs of British Kafaria. These proceedings are, in every point of view, most satisfactory. They prove that the system adopted by his Excellency is working admirably, not only in securing property and maintaining peace, but also in improving the social condition and advancing civilization among the people of that country. It is a subject of congratulation that a prelate of the English Church should have been present on the occasion, enlisted in the high and holy task, so worthy of his dignified station, of raising these wretched ignorant people from that moral and social degradation to which they are reduced. The unanimous testimony of the British Resident Commissioners shows that, on the whole, the conduct of the several chiefs has been most exemplary, giving the fairest promise that the present system, so auspiciously commenced, has only to be carried out with firmness and vigour, supported by justice and humanity, and by the steady countenance and help of the Home Government, to secure effectually the future peace of the frontier, and to confer inestimable blessings, both upon the colony and upon the native tribes beyond its borders:—

[From our own Reporter.]

Saturday, 7th October, was the day appointed by the Governor to meet the chiefs of the H'lambie and Gaika tribes. The morning was fine, and until noon the Kafirs kept coming into King William's Town from various directions. The hour appointed by his Excellency for the Kafirs to congregate was 12 o'clock, and precisely at that hour they assembled on the parade ground. The number of Kafirs present was computed at 1000 men. The following chiefs were present:—

Gaika Chiefs:—Sandilli, Macomo, Kono, Botman, Tola, Hanta, Tzatzoe. *H'lambie Chiefs*:—Umlala, Pato, Toice, Geyolo, Nonebi, Sewane, Kosani, and a few councillors.

They formed a large circle, all the chiefs sitting in the centre. The band of the Rifle Brigade struck up "God save the Queen," when the Governor and suite walked up in the following order:—

Three civil † Kafir police, the centre one bearing the staff of office; W. Shepstone, Esq., interpreter to the High Commissioner; the Lord Bishop; the Governor; Col. Mackinnon; Major Garvoek; Brigade-Major Bisset; Lieut. Holditch; four mounted orderlies.

The Governor was received by the chiefs and people, all standing. After a moment's pause he desired them to sit down, and the meeting commenced by the Governor addressing them in substance in the following words:—

The Governor.—Chiefs and my children! Right glad am I to meet you this day, and to hear that there are no complaints against you since I was here before. Kreli would have been here to-day, but he was so far off that he could not get here in time. As I told you before, when I last met you, the Queen of England sent me, as your old friend, to bring you out of "the bush." You were then naked, and in a state of the greatest destitution, living on roots, and in a state of starvation. All that I said at that meeting has been confirmed by the Queen of England, and will for ever stand unaltered. The Queen has sent me this paper.

[His Excellency here held up a scroll of paper which he had in his hand, and then threw it on the ground.] "There," exclaimed his Excellency, "lies the law of the land—never to be altered—no change." [The Governor here took hold of the staff of office, or "Umseli."] "Here is the stick which will carry it out; I have soldiers to enforce it. I have never used soldiers yet, but I will if it be necessary." My brother, Colonel Mackinnon, are you perfectly satisfied with the Commissioners?

Colonel Mackinnon.—I am perfectly satisfied with the conduct of the Commissioners; every one of them has done his duty in the most efficient manner, in carrying out my views and the instructions of your Excellency.

[The Governor here called upon the Commissioners, and inquired whether they had any complaints to make against the chiefs, that he might know whom he was to censure and whom he was to applaud. He called upon W. M. D. Fynn, Commissioner for Kreli.]

W. M. D. Fynn.—Chiefs, I have no complaints to make against Kreli; he has rendered

* The remainder of this Despatch will be found printed with the Papers relative to Natal, page 61, presented to both Houses of Parliament by Command, May, 1849.

† The words "civil Kafir police" apply exclusively to those Kafirs who are sent by the chiefs to remain with the Commissioners as messengers, and who are not paid by the Government.

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me every assistance to support my authority. Four days ago I informed Kreli that his Excellency invited Kreli to meet him at King William's Town. Kreli replied, "Well, I have often been called by governors, and always been afraid to go; but I am not afraid to go to Smith. Smith calls me; I go; and day and night will I travel, lame as I am, to see him; and this will be the first time in my life that I met a great governor."

The Governor then called upon Mr. Charles Brownlee, Commissioner for the Gaikas, to know whether he had any complaints to make.

Mr. Brownlee.—I beg to express my thanks to Sonto for his good conduct, in having so promptly delivered up to justice a Kafir concerned in the murder of the late Ingram. I wish also to express my entire satisfaction at Sonto's conduct, as I have never been under the necessity of ever calling upon Sonto to make any compensation for horse or cattle, none ever having been traced to his location since the time of my appointment. I beg to bring to your Excellency's notice the praiseworthy conduct of the widows of Tyalie; in the readiness they have ever manifested to comply with the orders of Government, and in having, on two occasions, without any directions from the authorities, followed the traces of cattle stolen from the colony, apprehending the thieves, and rendering compensation for the theft. Cases of theft have been repeatedly traced to Mocomo's and Botman's tribes; compensation has been obtained in all, and in three cases the thieves have been given up to the colonial authorities to be punished. Altogether the conduct of the chiefs have been satisfactory in the highest degree, and they exerted themselves to the utmost in the suppression of theft. In the month of August, when your Excellency was across the Orange River, I called a meeting of the chiefs of my district, and informed them that this was the time to show their loyalty to the Government, and pointed out to them the necessity of vigilance in the suppression of depredations; and it has been clearly proved, by the reduction of depredations during the last month, that the Kafirs have taken no advantage either of the High Commissioner's absence, or the reduction of the force on the frontier.

His Excellency then called upon Captain Maclean, Commissioner for the H'lambie tribes:—

Captain Maclean.—I have every reason to be well satisfied with the chiefs of the H'lambie district. The

[Copy imperfect.]

have been committed on this flank of Albany. I have to thank the chiefs for the support they have given me. They have rendered me every assistance in support of my authority, and have done justice to claimants without reference to me. I beg particularly to bring to your Excellency's notice the conduct of the chiefs Umhala, Toyce, and Seyolo. They apprehended many thieves, and gave them up to justice. It is unnecessary for me to advert to particular cases, but they have recovered many horses and cattle stolen from the colony, the loss of which was never reported, or any spoor traced. I have no reason to believe that the other chiefs would not have acted in the same manner, as I feel confident that nothing has occurred in the H'lambie location which has not been noticed. I beg also to bring to your Excellency's notice that I have conducted and carried out the Government measures solely by the aid of the Umsela, your Excellency's stick, and in no instance have I been obliged to call for a military force.

The Governor.—What have you to say, Sandilli?

Sandilli then called upon Macomo.

The Governor.—I called upon you, Sandilli, and not upon Macomo.

[Sandilli being seated in the centre of the circle at this time, quietly enjoying his pipe, with the greatest coolness possible, handed it over his shoulder to one of his counsellors, and then rose to address his Excellency.]

Sandilli.—I have nothing to say. We rejoice to see your Excellency safe back again. We congratulate you on your success: we all rejoice. I am sorry that our congratulation is not complete. Kreli is not here, and I should like, as with one voice, that the whole of Kafirland should congratulate your Excellency.

Umhala then rose.—I beg that your Excellency will wait for Kreli, as we wish to wait for Kreli. Kreli has been before to King William's Town, and only found the spoor of your Excellency. Shall he again come and find the Great Chief gone, and shall his heart once more be made sad by disappointment?

The Governor.—I should like to see Kreli; I will wait as long as I can, but I must leave to be present at a Council in Cape Town. Here is Kreli's mouth [pointing to Mr. Fynn], and you have already heard what he has said. Kreli knew that he had done wrong during the war. He sent to all the missionaries to pray that he might receive forgiveness. He has already given many cattle to make restitution for the property destroyed at Butterworth, and he still intends to send more. He is a man, who has only now to listen to the missionaries, to know the way to become a true Christian.

Botman and *Nonebi* then rose and addressed his Excellency, congratulating him on his safe return. They had nothing to say, but wished to hear the news from him.

Pato.—Speak out, if you have anything to say! Why do you not speak? You say you wish to congratulate the Great Chief, and yet you wish to wait for Kreli. Where will you find him? When he comes, the Great Chief will be gone, and how can you speak when he is on the water?

The Governor.—Last February I went across the Orange River: there is a large country there, which is filled with black people, rich in cattle. The Boers got amongst them. The Boers and black people could not live without fighting. I then established laws, that the black man should not kill the white, nor the white man the black. The Boers thanked me, as did also the black man. But one bad man got amongst them, and caused the Boers to rebel. Moshesh would have come down upon them, but I would not allow him. I took the Queen's

soldiers, and the Boers got amongst the rocks and bushes, and tried particularly to kill me. But all those that try to do good, God preserves them, but the devil will have those that do evil. I marched the troops forward, and in less than an hour and a-half there were 55 dead in the field, and 170 wounded, besides capturing nearly one-half their horses. You know the Boers dismount to fight, and I was amongst them before they had time to mount their horses. You all know how I fight. You know how far the Orange River is. I was over there the other day, and you all see I am now here; and I am ready to fight there [pointing in the direction of the Kye] to-morrow, if necessary. Here is the Lord Bishop from Cape Town, who rode 90 miles yesterday on purpose to be at this meeting. If Kreli had done the same, he would have been here to-day. He has been sent out by the good people of England to teach you the religion of the Queen of England. This is the man that teaches me the way to salvation, and has come to see what he can do for you in teaching you the way to be Christians. This is the great chief of teachers, yet still regards the smallest child and the meanest man, who is good, and is a Christian, with the same regard as the "Inkosi Inkulu." He wishes to establish schools for the education of your children. Can none of you assist in any way? Can none give a calf, or a little corn? Shall your daughters go about naked, and lie about in idleness in the bushes like calves?

[The Governor here addressed himself to Jan Tzatzoe]:—

Have you nothing to say? You, who have been in England, seen the great world there, and you saw that no man there eats the bread of idleness? and yet, fool! you dared join with the Kafirs against the power of the Queen. Have you anything to say to the Lord Bishop for the furtherance of education among your countrymen?

Jan Tzatzoe.—The Lord Bishop is a great and wise man, and the Great Chief has already remarked that I am a fool. How, therefore, can I give any advice upon this subject? But we certainly require teaching to remove our ignorance. The Lord Bishop will best know how to accomplish this.

The Governor.—The Lord Bishop wishes to speak a few words.

The Lord Bishop.—Chieftains! I am glad to meet you all here this day. As the Great Chief has just told you, I rode yesterday all the way from Graham's Town, that I might be present at this meeting, of which I only heard the day before. I am, as you have been told, the Bishop of the English Church in this part of the world; of that Church to which our Queen belongs, and I wish now to assure you of the interest—the deep interest—which I take in you and your condition, and to tell you of my earnest desire to do you any good in my power. The Great Chief has talked to you about the education of your children. I am ready to assist you in this good work, for I feel that by education your own peace and happiness will be greatly promoted. I am also most anxious to send amongst you ministers of God, who may teach you the way of life, and bring you to the knowledge of the true God and Jesus Christ, whom He hath sent. Be assured that the best way to promote your own happiness in this world, and in that which is to come, is by becoming Christians; by receiving as your Lord and your God that blessed Saviour in whom we, who are Christians, place all our trust and all our hope. And now I will not keep you any longer; but, I repeat, I shall be glad to do you any good, and I hope you will tell me how I can do it.

The Governor.—I now take my leave of you. Before leaving, I again give over my staff of office to my brother, Colonel Mackinnon. There will be another meeting on the 7th January. I will come if I can. Each chief must then bring an ox as a token of submission, and an acknowledgment for the lands you hold from the Queen, and Colonel Mackinnon shall give presents to the chiefs according to their merits.

The Governor here handed his staff of office to Colonel Mackinnon, and bade them farewell.

The whole of the chiefs and their people then rose, uncovered their heads, and, as with one voice, shouted, "Farewell, Great Chief!" The band of the Rifle Brigade struck up the national anthem, and the Kafirs dispersed.

Enclosure 3, referred to at page 30.

MEETING between his Excellency the GOVERNOR and KRELI, the paramount Chief of Kafirland.

Encl. 3 in No. 9.

THE Chief Kreli had been expected at King William's Town the whole of Sunday, and at three o'clock his Excellency took his departure for Line Drift, on his way to Waterloo Bay, without the expected interview with him.

About half-past three o'clock a number of Kafirs were seen approaching from the direction of Kreli's country, whom Mr. Fynn pronounced to be the Chief and his followers. It was raining at the time, but so anxious was the Chief for an interview, that without even stopping his horse, he shot past in quest of the Governor, having expressed himself, in an emphatic manner, that he would not return until he met him. The Chief was accompanied by Macomo, Umhala, and Toyce. Mr. Shepstone, interpreter to the High Commissioner, and Mr. Fynn immediately followed; but when they came up with the Governor, he and the Chief were already in personal conversation; his Excellency interpreting for himself.

The Governor expressed himself delighted to see Kreli, as he was his child, and when he saw him last, Kreli was a little boy. When his (Kreli's) father expressed great anger with him, he (the Governor) begged him off, because he told his father he was but a child. He inquired of Kreli whether he recollected that circumstance? Kreli replied, "He did."

Kreli then asked for the Governor's hand, which he kissed, expressing his heartfelt satisfaction at once more being in the presence of the Inkosi Inkulu. He said that had he not overtaken him here, he would have gone on until he had done so, wherever he might be.

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The Governor said he was entirely satisfied with Kreli's conduct, as he had been informed by Mr. Fynn that he (Mr. F.) had no complaints against him; for he had met with every cheerful support in carrying out the Governor's measures.

Kreli replied, "My heart is now at rest, having found and shaken hands with my father."

On parting, the Governor desired Kreli to go home and live in peace. "There is Fynn," said his Excellency, "who is my mouth. When you wish to speak to your father, tell Fynn, and he will write me all you have to say. Remember me to your mother, Numso; mind you don't forget." The Governor asked Kreli whether he went to chapel? He said he was not near enough. The Governor advised him to go and hear God's word. "You will never be right," said his Excellency, "until you do, and become a good Christian."

Mr. Fynn, the Commissioner for Kreli's tribe, then stated, that he had now resided 12 years with Kreli, and had always found him a well-disposed man. Had he not been led away by bad advisers (his councillors) he would not have been mixed up in the late troubles, and he was glad to inform his Excellency that Kreli was now standing up and acting for himself.

His Excellency said, "I am glad to hear it; you must not be guided by the counsel of bad men. I will tell you how I do; I listen to all, I then judge, and make my own decision; and nothing will divert me from it after having done it. When I say yes! it is yes; when I say no! it is no; and not to be altered. This is what has made me so great to day, and you must do the same, and you will also be great among your people. I am sorry my time is so short; there is a Council waiting for me in Cape Town, or I would have waited a week to see you. Now go, my son, and God bless you; mind you go to chapel, and listen to what the missionaries tell you, and become a Christian."

On his Excellency leaving, he presented Kreli with a horse, saddle, and bridle, and also one of his own coats, and desired Mr. Shepstone to give him a full suit, remarking, that he did not like to see his children naked; but that in future he (Kreli) was to purchase clothes.

Kreli, on parting with the Governor, kissed his hand, and wished his father, the Great Chief, a peaceful journey.

On the Governor getting into his waggon, the whole of the chiefs, councillors and people shouted—"Farewell! Go in peace, Great Chief!"

Kreli was accompanied by about 30 of his followers, and started for his own residence the day after his Excellency left. He is a fine looking man, standing full six feet, well made, and having the dignified carriage of a Chief. His general appearance is mild and frank.

Another hand furnishes us with the following account of the meeting between his Excellency and the paramount Chief Kreli:—

It had been the Governor's intention to have left King William's Town at about 12 o'clock on the 8th instant, but on receiving a report that the Chief Kreli, who had been unable, in consequence of the distance, to reach it in time for the meeting on the day previous was approaching, his Excellency at once resolved to await his arrival. He accordingly remained for upwards of three hours, starting late in the afternoon, when all prospect of seeing Kreli appeared to be at an end. The waggon had, however, hardly proceeded five or six miles, when it was overtaken by the Trans-Keion Chief, who, with his followers, and accompanied by nearly all the Chiefs who had been present at the meeting on the 7th, had galloped after it at full speed from King William's Town; and the Governor's satisfaction was so great at this proof of his anxiety to see him, that he remained in conversation with him for nearly an hour. The Chief, whose personal appearance for a Kafir is unusually pleasing and prepossessing, evinced real pleasure at seeing his Excellency, whom he positively appeared to regard with great personal affection, and it may be remarked as peculiarly striking, coming as it did from the man taught to consider himself the great paramount sovereign of Kafirland, that he addressed the Governor at once, and invariably during the interview, as "Iukosi Inkulu." Mr. Fynn, the British resident, and Mr. Shepstone, the interpreter, were present, having left King William's Town with Kreli, who however had far outstripped them in his haste to overtake the Governor; and their familiar acquaintance with the language enabled the conversation to be carried on with ease. His Excellency adverted in strong terms to the praiseworthy conduct of the chief in his having made restitution for burning the missionary station of Butterworth (which he has done to the extent of about 400*l.*), upon which Mr. Fynn took the opportunity of saying, "that he had been for years in Kreli's country, that he knew him to be a naturally good and well-disposed man, and that his desire had always been, when not interfered with by bad advisers, to act justly and to do right." The Governor upon this expressed his great satisfaction; and impressed upon Kreli the necessity of his always acting for himself; and that when he felt a thing to be right, he should do it, and not allow himself to be influenced by evil-disposed "Pakati." On being asked by his Excellency if he had forgotten an instance, when his father Hintza was very angry with him, as a boy, and he was pardoned at his intercession, Kreli replied that he remembered it perfectly.

His dress consisted merely of a blanket, at which his Excellency expressed much regret, and gave him a great coat of his own, which was lying in the waggon, saying that he trusted when he next saw him, he would be completely clothed; he likewise presented him with a horse, saddle, and bridle.

After a very lengthened conversation the Chief took his leave and returned to King William's Town, evidently delighted with the interview, which when Kreli's high rank among the Kafirs, and friendly disposition, which was too cordial to be mistaken, are taken into consideration, must be regarded as one of the greatest interest and importance.

The interest and happiness evinced by the minor Chiefs during the interview is not to be described.

On Sunday evening the Chief Kreli had a long and interesting interview with the bishop upon the subject of establishing schools in Kreli's country.

(No. 16.)

No. 10.

CAPE OF GOOD
HOPE.

No. 10.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Government House, Cape Town, Jan. 12, 1849.
(Received April 2, 1849.)

Answered April 24,
1849, No. 299,
page 44.

MY LORD,

No. 1.

No. 2.

I HAVE the honour to transmit herewith a Copy of the Report of Colonel Mackinnon, the Commandant and Civil Commissioner, as to the improving state of "British Kafraria," and of my reply thereto. In this document the successful working of the present system is so clearly set forth, that I have only to remark every confidence may be placed in the gradual improvement of the barbarians, and the continued protection of the eastern colonial frontier. Little has as yet been done in the establishment of schools; but it is impossible to attain at once every important step leading to civilization and Christianity. The missions have all been re-established; cultivation is acquiring a desirable ascendancy; the minds of all are bent upon peace and all the blessings it induces; and a system for education and schools is in contemplation.

2. It is to me a most gratifying duty to draw your Lordship's attention to the able manner in which the administration of affairs in "British Kafraria" is conducted by Colonel Mackinnon. He displays, in an eminent degree, a depth of judgment and a solidity of action, which have acquired for him the confidence, respect, and admiration of all classes: hence the happy result now reported. And it is to be hoped that, if so much has been achieved in the short space of not quite one year, the same judgment and energy will continue to meet with like success, and a most heterogeneous mass of mankind be impelled gradually onward to the desired haven.

3. Colonel Mackinnon's Report is confined to "British Kafraria;" but I must here again comment upon the most excellent conduct of the heretofore paramount chief Kreili, who has faithfully completed his voluntary offer, to reimburse the Wesleyan Mission for the damage occasioned to the station of Butterworth, wantonly and wickedly burned in the course of the last war, and to indemnify the Resident, Mr. Fynn, for the loss of property he sustained under similar circumstances. The cattle sent in realized the sum of 433*l.* 17*s.* 8*d.*, and all parties are satisfied. I regard this procedure on the part of Kreili, as I have stated in a former Despatch, as the work of Divine intervention rather than the result of the influence of any human agency. The effect it has had throughout Kafirland cements an order of things heretofore disunited.

4. I have also the honour to enclose a copy of a Report received from Colonel Mackinnon, upon his transmission of the records of the census of the native population in British Kafraria, and of my reply thereto. These records are compiled with much research and consequent accuracy; and the moral influence upon the Kafir, from the fact of his name and property being written in a book, is as peculiar as it is notorious.

5. I cannot so well conclude this Despatch as by assuring your Lordship that Her Majesty's troops in British Kafraria are well quartered, and in a most economical manner. They have good gardens, and are all in a state of perfect health and exemplary discipline.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) H. G. SMITH.

No. 3.

No. 4.

Enclosure 1 in No. 10.

Encl. 1 in No. 10.

SIR,

King William's Town, January 1, 1849.

MORE than a year having elapsed since Her Majesty's authority was proclaimed in British Kafraria, this may not be an unfit time for me to give your Excellency some account of the manner in which our system has worked. In my letter of the 23rd* of March last, a quarter of a year after the establishment of British rule in Kafraria, I had the honour of giving your Excellency a general account of the progress of events up to that period; and it

* See page 74 of Kafir Papers, presented to both Houses of Parliament by Command, July, 1848.

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affords me great satisfaction to say, that the favourable anticipations which I then indulged in have been fully realized.

I may confidently say, and your Excellency, from your personal observation during your late visit to this district will, I am convinced, fully bear me out in the assertion, that the Kafirs generally, the chiefs as well as their followers, regard with satisfaction the transition from anarchy and self rule, to the protection, even-handed justice, and security which they now enjoy under the British Government. The chiefs are contented because we support their just authority; and their followers are so because we protect them from the oppression formerly exercised over them by the chiefs, and because we maintain every man in the possession of his own.

I may also say that it is generally acknowledged, that at no former period have the frontier colonists enjoyed such security from marauding as during the past year. Whenever a theft has been fairly traced, either the stolen property has been recovered or compensation for the loss obtained.

The missionaries have nearly all returned to the stations which they occupied before the late war, and several new stations have been formed. I have caused, according to your Excellency's instructions, ploughs, other agricultural implements, and seed, to be furnished to all the mission stations for the benefit of the Kafirs in their neighbourhood. This has given a great impulse to industry and agriculture, and already has a great deal of corn and other produce been raised. At two of the mission stations, Barn's Hill and Kayser's, I understand that about 12,000 lbs. of oat-hay are ready for sale to the Commissariat. I consider that in a few years time each mission station will serve as a model farm, and that the general well-being of the Kafirs who are attached to the missions will have the effect of attracting a large population to the neighbourhood of each station; and thus serve the double purpose of encouraging the spread of Christianity and the promotion of industry amongst the natives. A very considerable Kafir trade has sprung up, and is daily on the increase. The effect of this will be to benefit materially the colonial revenue; and I apprehend that even now British Kafraria is no burden to the colony in a financial point of view.

We have 43 general traders in Kafraria, each of whom has paid 50*l.* for his licence to trade during the year. These traders must sell largely, or they could not pay so high a rate of licence. The Kafirs purchase principally blankets, ready-made clothes, handkerchiefs, spades, axes, hoes, copper wire, articles of British manufacture, which are subject to an *ad valorem* duty of 5 per cent.; they also purchase beads in great quantities, which, being of foreign manufacture, pay 12 per cent. duty; and tobacco, sugar, and rice, which also pay a considerable duty. It will thus be seen that the colonial revenue benefits largely by the Kafir trade.

Your Excellency will see, by a statement which I shall shortly have the honour of transmitting to you, that the fund arising from the sale of licences to trade, has produced during the year about 2500*l.*; of which the Board of Roads, appointed by your Excellency to appropriate this fund, has expended about 1220*l.* in roads, bridges, causeways, water-courses, and other works of general utility. The Board has already paid into the Colonial Treasury about 360*l.* for licences collected in East London, and a further sum of about 920*l.* will be paid in when the accounts of the Board are wound up; making altogether about 1280*l.* paid in. I have been enabled to avail myself of military labour to carry out the works which the Board of roads sanctioned; consequently much has been done at a trifling expense. The roads throughout Kafraria have been put into thorough repair, and a small outlay yearly will suffice to keep them so. The proceeds of the Licence Fund will, with all other revenue obtained in Kafraria, be paid in future into the Civil Chest; and will thus, at the expense of a very trifling outlay to keep up what has already been done, become a clear gain to the colonial revenue.

Your Excellency will have seen by my various Reports, that 750*l.* in all has been paid into the public chest from the sales of cattle taken during the year from Kafir delinquents, as fines for depredations, and for various offences.

Taking into consideration the three above described sources of revenue, viz., the duties paid on imported articles which are sold to the natives, the licence fund, and the sales of cattle taken from delinquents, I think I am justified in saying that the revenue which is derived directly or indirectly from British Kafraria will fully cover the expense attendant on the extension of British rule to that country.

I will now say a few words with regard to the British population in Kafraria. It is rapidly on the increase; and this place and all the other military posts afford a fair field for the industrious labourer and artisan. King William's Town, which, at the commencement of the year, consisted only of a few Kafir huts, is now a large and populous town.

I have maintained order amongst the British and Hottentot population by means of a few simple but stringent regulations, enforced in a firm but conciliatory manner. On very few occasions have I found it necessary to exert the powers given me as Justice of the Peace, under the 6th and 7th Will. IV. cap. 57, of committing culprits to a colonial prison for criminal acts. The administration of justice in this district has therefore been inexpensive to the colony; and, I trust, that for some time to come, the cumbrous and expensive machinery of circuit courts and civil prisons may be dispensed with.

I will content myself with thus briefly adverting to the above-mentioned subjects as being of the most prominent interest, and those to which I have principally directed my attention in carrying on the functions which have been intrusted to me. I have endeavoured to show that the Kafirs are contented; that the colonists enjoy security; that agriculture and industry are making progress amongst the natives; that the British population is on the increase, and that order is maintained among them at little cost; and, finally, that Kafraria is no burthen to the

colony in a financial point of view. These are the results of our first year's occupation of the country. CAPE OF GOOD HOPE.

I have, &c.,

(Signed) GEO. MACKINNON,
Colonel Commanding and Chief Commissioner.

His Excellency the High Commissioner,
&c. &c. &c.

Enclosure 2 in No. 10.

Encl. 2 in No. 10.

SIR,

Government House, Cape Town,
January 11, 1849.

I HAD the honour yesterday to receive your Report, under date 1st instant, of the working of the system established for the rule of British Kafraria, and the protection of the eastern boundary of the colony. This Report I shall of course submit to Earl Grey, for not only will it afford me a very favourable opportunity to comment upon the steadiness with which this system works, and how its utility daily develops itself, but also enable me to represent to his Lordship the zeal, judgment, and ability displayed by you upon all occasions, in the exercise of power in a position of great responsibility. It will be also gratifying to me to be able to assure his Lordship that you have been zealously and ably supported by the officers I have placed under you, and of the great utility of the Kafir police.

When we call to mind the chaos of confusion British Kafraria was this time last year, and compare its present state—its growing and cultivated fields—its rising towns—then may we attach credit to a system, by which, while it thus promotes the welfare and tends to the civilization of the conquered barbarians, peace, confidence, and protection are afforded to the colonists.

Your next Report will, I know, from arrangements now in progress, enable you to report favourably upon schools and education, upon which so much depends all future improvement; and the great end—the blessings of Christianity.

I have, &c.,

Col. Mackinnon, C.B., Chief Commissioner,
&c. &c. &c.

(Signed) H. G. SMITH.

Enclosure 3 in No. 10.

Encl. 3 in No. 10.

SIR,

King William's Town, December 20, 1848.

I HAVE the honour of transmitting the Census Returns of the natives located in the T'Slambie and Gaika districts of "British Kafraria."

The numbers living under each chief in the T'Slambie district are as follows:—

Umhala	10,018
Pato and Cobus	8,527
Toise	7,481
Siwani	2,773
Stock	3,342
Seyolo	2,161
Tabai	877
Total T'Slambies	35,179

And in the Gaika district as follows:—

Sandilli	14,915
Tebe	4,867
Macomo	2,066
Botman	1,455
Tola	1,487
Sonto	672
Tatzoe	1,717
Total Gaikas	27,179

Making a total of 62,358 souls.

Mr. Brownlee, the Assistant Gaika Commissioner, calculates that from 20,000 to 25,000 of the Gaikas are absent, this being principally occasioned by the scarcity of food in that country. Large tracts of it were depopulated when it was overrun by the troops during the sowing

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season of 1847, and the natives have not yet returned. The greater part of these are in Kreili's country, some in Tambookie Land, some in the T'Slambie district, and a good many wandering about the colony without passes.

The return of cattle, your Excellency will observe, does not average one head for every soul; but the numbers have doubtless been much understated by the Kafirs.

I have, &c.,

(Signed) GEO. MACKINNON,
Colonel and Chief Commissioner.

His Excellency the High Commissioner,
&c. &c. &c.

Encl. 4 in No. 10.

Enclosure 4 in No. 10.

SIR,

Government House, Cape Town, Dec. 28, 1848.

I HAVE the honour to acknowledge the receipt of your letter of the 20th instant, transmitting therewith the census of the population of the Kafir tribes in British Kafraria. These returns are prepared, I observe, with great care, research, and ability; the information therein contained is of vast importance; and I request you would convey to the Commissioners of these tribes my just sense of their meritorious exertions.

I have, &c.,

Colonel Mackinnon, C.B., Chief Commissioner.

(Signed) H. G. SMITH.

No. 11.

(No. 37.)

No. 11.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B.,
to Earl GREY.

Government House, Cape of Good Hope,
February 8, 1849.

(Received April 26, 1849.)

MY LORD,

No. 1.

I HAVE the honour to enclose, for your Lordship's information, copy of a letter from Colonel Mackinnon, dated the 25th ultimo, enclosing the First Report of the Board of Roads for British Kafraria, and copy of my reply thereto, dated the 1st instant.

No. 2.

From the Report of the Board, your Lordship will observe that their exertions have not been confined to the formation of roads; several bridges and causeways have been erected, and a water-course, affording a plentiful supply of water to the garrison and inhabitants of King William's Town, has also been constructed.

The amount expended by the Board in these works, during the year 1848, has been 758*l.*; but as military labour has been almost exclusively employed, at a moderate remuneration, viz., 4*d.* per diem, much more has been effected with this sum than might, at first sight, appear probable. The funds expended by the Board have been derived exclusively from the sale of licences to traders, hotel-keepers, and working people in British Kafraria, and that the Kafirs contribute (as it is they who pay indirectly) to their own Government.

On the 31st December, 1848, the Board had in hand a balance of 957*l.* 14*s.* 10*d.* I will not needlessly occupy your Lordship's time by dilating on the obvious advantages of this application of a revenue derived from a judicious association of traders and other Europeans with the Kafir tribes. I am certainly of opinion that this Report, taken in conjunction with Colonel Mackinnon's more detailed statement, which was transmitted in my Despatch, No. 16,* of the 12th ultimo, affords a most gratifying proof of the present efficiency of the new Kafir system, and very strong grounds for anticipating its continued success.

* Page 35.

I have, &c.,

(Signed) H. G. SMITH.

The Right Hon. Earl Grey,
&c. &c. &c.

(No. 95.)

Enclosure 1 in No. 11.

CAPE OF GOOD
HOPE.

SIR,

King William's Town, January 25, 1849.

Encl. 1 in No. 11.

I HAVE the honour of transmitting herewith an account of the receipts and expenditure of the Board of Roads of British Kafiraria for the year 1848.

Your Excellency will observe that the sum expended by the Board amounts to 1185*l.* 19*s.* 2½*d.*; that the Board has paid into the colonial chest 427*l.* 10*s.* for licences taken out at East London (that place having become part of the colony), that 67*l.* 2*s.* 1*d.* have been repaid by the Colonial Government to the Board for improvements at and near East London, and that a further sum of 957*l.* 14*s.* 10½*d.* will now be paid to the Treasurer-General, making a clear gain to the colonial revenue, after deducting all expenditure, of 1318*l.* 2*s.* 9½*d.*

A great number of useful works have been carried out, and as military labour has been exclusively employed, at a trifling expense. The roads throughout Kafiraria have been put into thorough repair; a bridge has been constructed over the Chumie, between Alice and Fort Hare; causeways have been constructed over the Buffalo, at King William's Town, and Fort Murray. A water-course of more than three miles in length has been reconstructed at King William's Town, thereby furnishing the garrison and inhabitants with an abundant supply of water, and a number of other expenses have been defrayed which would otherwise have fallen upon the colonial revenue. I shall forward to the Treasurer-General by this post a duplicate of the account herewith transmitted, and a draft for the unexpended balance in the hands of the Board.

I have &c.,

(Signed) GEO. MACKINNON,
Colonel and Chief Commissioner.His Excellency the High Commissioner,
&c. &c. &c.*Dr.* BOARD OF ROADS for BRITISH KAFIRARIA, (from 1st January to 31st December, 1848). *Cr.*

	£.	s.	d.		£.	s.	d.	£.	s.	d.
To cash paid for laying out allotments at King William's Town	8	16	5½	King William's Town.—By 14 general traders' licenses, at 50 <i>l.</i> each	700	0	0			
To cash for repairing and making road from Klug William's Town to Fort Waterloo	3	6	0	By 3 hotel licenses, at 20 <i>l.</i>	60	0	0			
To cash for repairing Middledrift, Keiskamma River, on road to Fort Hare	64	16	6	By 49 working people's licenses, at 3 <i>l.</i> 15 <i>s.</i>	183	15	0	943	15	0
To cash for repairing road from Needsdamp to Fort Grey	105	15	2	East London.—By 8 general traders' licenses, at 50 <i>l.</i>	400	0	0			
To cash for repairing roads near King William's Town	14	9	9	By 1 hotel license, at 20 <i>l.</i>	20	0	0	427	10	0
To cash for reconstructing and repairing Water Canal, King William's Town	141	10	9½	By 2 working people's license, at 3 <i>l.</i> 15 <i>s.</i>	7	10	0			
To cash paid Engineer Officers for superintending works ordered by the Board	70	16	0	Fort Grey.—By 5 general traders' licences, at 50 <i>l.</i>				250	0	0
To cash for drainage and improvements at East London (repaid by Colonial Government)	30	7	6	Fort Hare.—By 2 general traders' licenses, at 50 <i>l.</i>	100	0	0			
To cash for making bridge over Chumie River at Fort Hare	169	1	0½	By 1 workman's license at 3 <i>l.</i> 15 <i>s.</i>	3	15	0	103	15	0
To cash for making and repairing road near Fort Murray	31	17	8	Fort Cox.—By 3 general trader's licenses, at 50 <i>l.</i>	150	0	0			
To cash for stationery for Gaika Commissioner	14	19	6	By 2 working people's licenses, at 3 <i>l.</i> 15 <i>s.</i>	7	10	0	157	10	0
To cash for stationery for T'Slambie Commissioner	2	5	0	Fort Murray.—By 2 general traders' licenses, at 50 <i>l.</i>				100	0	0
To cash for stationery for Mr. Fynn, resident with Kreili	10	9	6	Fort Waterloo.—By 3 general traders' licenses, at 50 <i>l.</i>				150	0	0
To cash for stationery for Tambookie Commissioner	7	16	6	Fort White.—By 1 general trader's license				50	0	0
To cash for stationery for Board of Roads	3	18	0	Perie Post (Forest).—By 9 working people's licenses, at 3 <i>l.</i> 15 <i>s.</i> each				33	15	0
To cash for stationery for 1st Division of Kafir Police	18	0	6	East of Kei River.—By 4 general traders' licenses, at 50 <i>l.</i>				200	0	0
To cash for stationery for 2nd Division of Kafir Police	5	14	0	Doorrie's Missionary Station.—By 1 workman's license, at 3 <i>l.</i> 15 <i>s.</i>				3	15	0
To cash for stationery for Mr. Fynn, Resident with Faku	2	14	9	Iquibehu's Missionary Station.—By 1 general trader's license at 50 <i>l.</i>				50	0	0
To cash for miscellaneous purposes (12 pairs of handcuffs, and painting boards to indicate public offices, &c.)	4	10	6	King William's Town.—By amount of fines for breaches of regulations				11	15	0
To cash for making and repairing road from Fort Grey to East London (repaid by Colonial Government)	32	15	10	Colonial Government.—By amount repaid by Colonial Government for expenses incurred by Board at East London				67	2	1
To cash for clothing for Civil Kafir Police attached to T'Slambie Commissioner	14	16	0	East Province Bank.—By interest on fixed deposit in Eastern Province Bank, and 700 <i>l.</i> from 1st February, 1848				22	7	0
To cash for building stables and huts for 1st Division of Kafir Police	41	1	4							
To cash for building stables and huts for 2nd Division of Kafir Police	14	3	4							
To cash for sinking well at East London (repaid by Colonial Government)	3	18	9							
To cash for making causeway over Buffalo River at King William's Town	45	10	6½							
To cash for ploughing and repairing plough for Chief Umhala	3	4	2							
To cash for printing and advertisements connected with British Kafiraria	31	5	3							
To cash for making and repairing road near Fort White	74	14	9½							
To cash for Kafir Commissioner for destitute Kafirs of the Gaika District	15	0	0							
Carried forward	988	5	1½	Carried forward				2,571	4	1

CORRESPONDENCE RELATIVE TO THE

Dr.		Board of Roads for British Kafraria—continued.				Cr.		
		£.	s.	d.		£.	s.	d.
Brought forward		988	5	1½	Brought forward			
To cash for scales and weights for market at King William's Town		17	12	0				
To cash for two police constables employed at King William's Town, to 31st December, 1848		9	14	0½				
To cash for repairing and making road from Fort Hare to Fort Cox		148	9	11½				
To cash for building Civil Kafir Police and Kafir Chief's hut at Fort Murray		16	18	1				
To cash for Kafir messengers attached to Resident with Kreili, to 31st December, 1848		5	0	0				
Amount expended by Board (including amount expended at East London)		1,185	19	2½				
Amount paid to Colonial Government for licenses at East London		427	18	0				
		1,613	9	2½				
Amount paid to Colonial Government, being balance unexpended on the 31st Dec., 1848		957	14	10½				
Total		2,571	4	1	Total			

Dr.		RECAPITULATION, 1848.				Cr.			
		£.	s.	d.			£.	s.	d.
Amount expended by Board, including amount expended at East London	1,185	19	2½	43 general licenses at 50l.			2,150	0	0
Amount paid to Colonial Government for licenses at East London	427	10	0	4 hotel licenses, at 20l.			80	0	0
Amount paid to Colonial Government, being balance unexpended on 31st December, 1848	957	14	10½	64 working licenses, at 3l. 15s.			240	0	0
				Fines for breaches of regulations			11	15	0
				Re-credit from Colonial Government			67	2	1
				Eastern Provincial Bank, interest on 700l.			22	7	0
Total	2,571	4	1	Total			2,571	4	1

(Signed) GEO. MACKINNON, Colonel and President.
JOHN A BISSET, Major, Brigade-Major.
M. DILL, Captain, Royal Engineers.

Encl. 2 in No. 11.

Enclosure 2 in No. 11.

Government House, Cape Town,
February 1, 1849.

SIR,
THE Report of the proceedings of the Board of Roads in British Kafraria, composed of Colonel Mackinnon, Major Bisset, and Captain Dill, is most satisfactory, and those officers deserve richly, and are requested to receive, my unqualified approbation of their exertions in the construction of roads, drifts, water-courses, and a bridge in British Kafraria, thereby facilitating the communication throughout the district.
This Board will continue its services as now constituted, and will draw for such sums as will be necessary to keep in good repair the roads so ably constructed under the direction of this Board.
Colonel Mackinnon, C.B.,
&c. &c. &c.
I have, &c.,
(Signed) H. G. SMITH.

Despatches from the Right Hon. Earl Grey,
Secretary of State.

CAPE OF GOOD
HOPE.

No. 1.

(Confidential.)

No. 1.

Answered Sept. 11,
1848, No. 158,
page 28.COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, June 6, 1848.

* Page 5.

† *Vide* No. 163,
August 3, below.

IN a passage of your Despatch, No. 51,* of 23rd March last, which will be answered more at length† when it has been made the subject of communication with the Treasury, you mention the removal of Kafir youths from the eastern frontier of the colony, to be apprenticed to the inhabitants of distant districts; and you enclose a proclamation of January 27 last, containing certain rules made by yourself, for the furtherance of the measure. But your report is not sufficiently full to enable me to understand under what legal authority this is done. The mere consent of youths of this description, or of their chiefs, and those who assume to be their protectors, seems a precarious foundation of any right to bind them as servants for long terms, at a distance from their homes. And the instances to which you allude, of the apprenticeship of liberated Africans do not appear in point; because, if I understand your reference rightly, it is to a class of apprenticeships regulated by Acts of Parliament, and treaties, which of course give the necessary authority. I observe, moreover, that although your regulations seem distinct and judicious as to the safeguards with which you surround the contract in the districts in which the youth is to be apprenticed, they contain no provision subjecting his removal from his own country to any supervision or control; which, if the measure is intended to be permanent, and not to apply merely to the case of some particular youths already entrusted to your protection, would seem to be necessary.

2. I wish, therefore, for more information as to the particulars of your measure, and should suggest to yourself to consider whether some legislative provision is or is not necessary for carrying it out, I am the more anxious to recommend this to your attention, because I am fully disposed to agree with you in believing the measure itself to be judicious and humane, and calculated to benefit both colonists and borderers, and should, therefore, the more regret its failure through any unforeseen difficulties of a legal or constitutional kind. And I have made this a confidential Despatch, from the desire not to raise unnecessary doubts which might prejudice its efficiency.

I have, &c.,

Lieut.-General Sir H. G. Smith, Bart,
&c. &c. &c.

(Signed)

GREY.

No. 2.

(No. 168.)

No. 2.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, August 3, 1848.

* Page 5.

I HAVE to acknowledge the receipt of your Despatch of 23rd March last,* No. 51, transmitting a schedule of various appointments, which you had made with a view to exercise some magisterial superintendence over the country districts of the Cape of Good Hope, pending the signification of Her Majesty's pleasure as to the Ordinances forwarded in your Despatch of the 13th March last, No. 35, together with copies of two Proclamations creating twelve new Courts of Resident Magistrates, and forming into five divisions for matters connected with the functions of the Civil Commissioners, certain portions of the colony which were previously attached to other divisions,—and copies of the Government Notices which you had accordingly issued, relative to their appointments.

In reply, I have to state, that I see no reason to doubt the necessity of the increased expenditure, which will be incurred by carrying into effect the various objects contemplated in your Despatch, inasmuch as the purposes of such expenditure, are all of a kind very material to the improvement of the colony. Although, therefore, the whole amount of the additional burden, which will be

thereby thrown on the finances of the colony, is very considerable, yet my reliance upon your continued assurance, that it can be provided for without difficulty from colonial resources, and my confidence in your judgment, and in the desire which you express to observe the strictest economy in effecting these improvements, will induce me to offer no objection to any item of these new charges, which the legislature of the Cape may be willing to vote.

Whenever the salaries attached to the several appointments comprised in the schedule which accompanies your Despatch, shall have been voted by the Council, as well as the salaries of all appointments made in the new territories annexed to the colony, or in British Kafraria, I have to request that you will furnish me with a schedule of the names, &c., of the functionaries whose salaries exceed 200*l.* per annum, in order that the necessary warrants may be prepared and transmitted to you for their appointment.

I have, &c.,

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

(Signed)

GREY.

(No. 190.)

No. 3.

No. 3.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, September 17, 1848.

I HAVE received your Despatch of the 13th of June last, No. 94,* reporting the measures which you have adopted on the north and north-eastern frontier of the colony of the Cape of Good Hope, for the encouragement of industry and the preservation of peace and tranquillity.

* Page 15.

I congratulate you upon the apparent success of these measures.

You report the Kafir police to have been most active and efficient in arresting the predatory habits of the Kafirs, and I therefore approve of your intention to form one division of this police into a regular corps, upon the principle of the Cape Rifle Corps, whenever you may consider the proper time to have arrived for such a measure.

In the return of men, women, and children located in the villages of the discharged soldiers, I regret to observe the very small proportion of women; this is a subject that deserves your attention, and I should wish you to consider by what means you can best secure a greater equality of the sexes.

I have, &c.,

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

(Signed)

GREY.

(No. 204.)

No. 4.

No. 4.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, October 24, 1848.

I HAVE received your Despatch of the 20th July last, No. 105, reporting the arrangements you have made for the government of British Kafraria, and the progress in the formation of roads and in the civilization of the inhabitants of that territory, together with a statement of the expenses attending these measures.

I have also read with much interest the report which you directed Colonel Mackinnon to prepare, with a view to reconcile the conflicting opinions of the missionaries in regard to the best mode of improving the moral condition of the Kafirs; and I see no reason to doubt that the measures which you propose to adopt are judicious.

I have, &c.,

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

(Signed)

GREY.

CAPE OF GOOD
HOPE.
No. 5.

(No. 214.)

No. 5.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, November 8, 1848.

* Page 25.

I HAVE received your Despatch of 29th July last,* No. 128, reporting the terms on which an institution of Moravian brethren, together with several Hottentot families, had been permitted to settle in the vicinity of the Beka River in Kafraria; and stating that you had authorized the temporary grant of an allowance at the rate of 100*l.* per annum to the Rev. C. L. Teutsch, as Moravian minister at that settlement.

The terms of this arrangement do not appear to me to be objectionable, and I have accordingly to convey to you my sanction for the expense already incurred, and for continuing the payment from colonial funds of the allowance in question, provided it should hereafter be found necessary.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

No. 6.

(No. 259.)

No. 6.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, January 30, 1849.

* Page 26.

I HAVE received and laid before the Queen your Despatch of the 29th* of July last, No. 131, enclosing an Ordinance, No. 3, of 1848, passed by yourself with the advice and consent of the Legislative Council of the Cape of Good Hope, intituled, "An Ordinance to amend the Ordinance, No. 49."

I have received the Queen's commands to acquaint you that Her Majesty has been pleased to confirm and allow this Ordinance.

You will communicate Her Majesty's decision to the inhabitants of the colony of the Cape of Good Hope by a proclamation, to be published in the usual and most authentic manner.

You will, of course, take care that the provisions made by the Ordinance No. 49, of 1828, for superintending and controlling the removal of Kafirs and other natives from their own country, are duly enforced, and for this purpose, it would seem necessary to make those provisions generally known throughout the colony, together with any further rules and regulations which you may think it right to establish in pursuance of the power vested in you for that purpose by the 2nd Clause of the Ordinance of 1828.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

No. 7.

(No. 299.)

No. 7.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, April 14, 1849.

* Page 35.

I HAVE laid before the Queen your Despatch, No. 16,* of the 12th January last, transmitting Colonel Mackinnon's report of the state of British Kafraria, and your reply. And I have to inform you, that Her Majesty has commanded me to express to you her satisfaction at the account which it contains of the improving state of the new province, and her full approbation of the judicious measures, which, under your directions, Colonel Mackinnon has so ably carried into execution, for the establishment of peace and good order within its limits—measures, as yet forming the outlines only of a system which, under the blessing of Providence, appears to afford a fair promise of the extension of civilization and Christianity among the hitherto barbarous inhabitants of this part of Africa.

CAPE OF GOOD
HOPE.
—

2. The account of the financial condition of the district is highly satisfactory, and the available revenue cannot be better applied than it appears to have been on the primary object of improving the means of communication—the essential preliminary of all civilizing efforts.

3. With respect to the establishment of schools, I am fully aware, in common with yourself and Colonel Mackinnon, that this must necessarily be a work of time. Yet I cannot avoid impressing on you my own sense of the great importance of this portion of the duties of Government in a newly acquired region, and among uncivilized inhabitants. You are, I make no doubt, as thoroughly persuaded as myself, that whatever of good British dominion is destined to effect in this portion of Africa, must be mainly derived from the care and instruction of the rising generation of its people.

4. I also think that a very judicious step has been taken in countenancing and supporting the exercise of their customary authority by the chiefs, so far as this can be done without infringing the necessary principles of civilized polity; and thus making them assist in the Government of the people, and co-operate in the advance of civilization.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

LONDON:
Printed by **WILLIAM CLOWES and SONS, Stamford Street,**
For Her Majesty's Stationery Office.

N A T A L.

CORRESPONDENCE

RELATIVE TO

THE ESTABLISHMENT OF THE

SETTLEMENT OF NATAL,

AND

THE RECENT REBELLION OF THE BOERS.

(In continuation of Papers presented July 1848.)

Presented to both Houses of Parliament by Command of Her Majesty,
3rd MAY, 1849.

LONDON:

PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET
FOR HER MAJESTY'S STATIONERY OFFICE.

1849.

L10597

SCHEDULE.

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PLAN.

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CORRESPONDENCE

RELATIVE TO

THE ESTABLISHMENT OF THE SETTLEMENT OF NATAL.

NATAL.

No. 1.

(No. 87.)

No. 1.

EXTRACT of a DESPATCH from Governor Sir H. G. SMITH, G.C.B., to the Right Hon. Earl Grey, dated Government House, Cape Town, May 22, 1848.

(Received July 28, 1848.)

Answered Aug. 5,
1848, No. 170,
page 84.

"With reference to my letter to your Lordship of the 30th * March last, transmitting the manifesto addressed to the emigrant burghers, I have now the honour to forward copies of the most particular of a number of communications which I have received, marked Nos. 1, 2, 3, 4, 5, 6, 7, which so fully demonstrate the effect which that document has produced upon these people, that no comments of mine are required. The magistrates for the divisions of Winberg and Caledon will, ere this, have arrived at their destinations, and will have been received; I confidently assert, with every respect. I very much regret to state that I am far from being satisfied with the course pursued by Mr. Pretorius, from whom, after my frank conduct towards him, I candidly admit I expected assistance in establishing a government. I am however always loth to impute evil to any man without the most indubitable proof; and as I have written to himself, I await his own statement ere I condemn him, which I very probably shall have reason to do, and which I will do if necessary; for it is obvious that had he pursued the course I expected, the whole of the 'trëking' population of Natal would have at once returned; but he has never joined, and cannot now be permitted to do so, the Land Commission to which I appointed him; and the suspicious burgher has consequently kept aloof. Whether Mr. Pretorius has thus acted for the purpose of retaining his influence among his countrymen, rather than in opposition to my measures, or from a positive want of loyalty to Her Majesty, remains to be proved.

"A legal exposition of the manifesto made by the Chief Justice when on circuit near the Orange River, has, I am confidently informed, had great weight with all the emigrant farmers—and thus, as I ventured to predict in my Despatch to your Lordship of the 3rd † of February last, a form of government conduces to order, regularity, and consequent happiness.

"My next accounts from Natal will be, I hope, more satisfactory as regards the return of more of the 'trëking' boers, who have evidently been awaiting the appearance of Pretorius.

"I also transmit to your Lordship, marked No. 8, a Proclamation which I have issued for the legalization of marriages contracted beyond the Orange River. The subject is one which was much discussed among the farmers when I was with them; and one which, as I observe by your Lordship's Despatch to me of the 24th January, 1848, had been brought to your previous consideration."

Enclosure 1 in No. 1.

Encl. 1 in No. 1.

EXTRACTS of LETTERS from Mr. JOHN C. CHASE, Civil Commissioner of the District of "Albert."

Burghersdorp, April 8, 1848.

"The manifesto was read at a meeting of about 64 of the townspeople, of course in Dutch, under deep and marked attention and silence; and after a parting commentary, the meeting separated, with three cheers for Her Majesty and the Governor."

* See page 76, Kafir Papers, presented to both Houses by command, July, 1848.
† Ditto ditto, page 59.

NATAL

Burghersdorpe, April 18, 1848.

"THE 'Nachtmaal,' or sacramental services, which commenced here last Saturday, affording a favourable opportunity, by the large assemblage of the population, for a more general diffusion of the views and intentions of Government regarding its policy across the Orange River, the Reverend Mr. Taylor, the minister of the Dutch Reformed Church, officiating, and myself, embraced the occasion to converse with many of the visitants, especially the most influential and intelligent, and explain the meaning of the manifesto and previous proclamations. The former gentleman also, at the close of the ceremony of laying the corner stone of the church, addressed the multitude collected there in terms both feeling and firm, reminding them of the duties they owed to themselves, their deluded countrymen, their Sovereign, and their God; and conjured them, as their pastor and friend, especially such as had connexions over the river, at once to use their best endeavours to recal them to a sense of their folly and wickedness, and to receive with deep gratitude the boon and blessings which his Excellency's Proclamations had conferred upon them.

"The crowd collected on this occasion could not have mustered less than 700 persons, several of whom were from beyond the Orange River; and I have reason to know that Mr. Taylor's address had a most salutary impression upon it; for besides being called upon by numbers after the ceremony for copies of the manifesto, I was made acquainted with the prevailing sentiment; and I can assure his Excellency it was that of the most loyal kind, mingled with deep regret at the blind obstinacy of their misguided relatives and friends."

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

SIR,

Caledon, North of Orange River, April 15, 1848.

HAVING lately received a package of his Excellency the Governor's Manifestos and Proclamations, we held yesterday a public meeting, which was largely attended, when I read and explained the same, distributing to many sensible and influential persons.

I am happy to inform you that I am convinced it has been of infinite service; no document could have been published more suitable to the people for whom it was intended, than the manifesto; it has in our part alarmed the rebellious and wavering, and confirmed the well-disposed, and the consequence is, a public meeting is called for next week, at which they propose to address a letter of thanks to Sir H. G. Smith for his lenity and excellent measures, and an expression of their loyalty and attachment for the future. They are highly pleased with the appointment of Mr. O'Reilly as their future magistrate.

Another meeting is also appointed for Monday, the 18th April, between Orange River and Caledon, for the purpose of reading the manifesto and proclamations.

I understand the rebels have prevented the two ministers, (Albertyn and Murray) from proceeding further on their journey than Winberg.

J. C. Chase, Esq.,
Civil Commissioner, Albert.

I have, &c.,
(Signed) H. J. HALSE.

Encl. 3 in No. 1. (Translation.)

Enclosure 3 in No. 1.

To his Excellency Lieutenant-General Sir H. G. W. SMITH, Bart., &c. &c. &c., and
Her Majesty's High Commissioner.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 29th March last, with its enclosed manifestoes and communications addressed to Mr. A. Smith. I have delivered the letter and circulated the manifestoes for perusal; and as Major Warden has caused the manifestos to be distributed with much expedition, we have the best hope that they will have the most beneficial effect.

I can assure your Excellency that many hundreds of inhabitants of this country are heartily glad of your Excellency's measures, as contained in the Proclamations of the 3rd February and 8th March last, and are lavish in the expression of their praise of, and thanks to, your Excellency; but they dare not declare themselves openly, for fear of the evil and warlike disposed.

Lately a manifesto was sent by William Jacobs to Major Warden, addressed to your Excellency, signed (as is said) by more than 500 persons, and which was prepared by A. Pretorius and William Jacobs on the 8th February last. I have spoken to several persons who had signed that document: they declared they had signed it against their conviction, and with aversion, but were obliged so to do on account of the numerous evil reports which were abroad. It is therefore unfortunate that there is no one in this part of the country in an official capacity to do something for the general cause—if it should be a justice of the peace merely, who might, by mild measures, reclaim those who have gone astray, for a private person dare not do anything without being threatened by the evil-disposed, and characterized as traitors of their country; but they have great respect for any one who is appointed by the Government.

All well-disposed people of this country were very glad of the appointment of Mr. Biddulph as Civil Commissioner and magistrate for Winberg, and still anxiously look forward for his arrival.

Bloem Hof, near Winberg,
14th April, 1848.

I have, &c.,
(Signed) G. H. MEYER.

Enclosure 4 in No. 1.

NATAL.

Encl. 4 in No. 1.

Government House, Cape Town, May 15, 1848.

WITH reference to the manifesto issued by Her Majesty's High Commissioner on the 29th of March, 1848, addressed to those of the emigrant burghers who had been represented to his Excellency to be wavering in their allegiance, from the efforts of evil-disposed persons engaged in perverting and misrepresenting to them the Proclamations of the 3rd and 10th of February and 8th March, his Excellency considers it an act of justice to those emigrants to publish the following extracts and documents (from amongst several others of the same scope and tendency), which, while they have afforded him the highest personal satisfaction as proofs that a paternal Government is appreciated by those who, from unhappy circumstances, have been so long left to struggle for themselves in the midst of anarchy and confusion, at the same time completely vindicate the characters and loyalty to Her Majesty the Queen of the emigrant farmers from the misrepresentations of interested and unprincipled agitators.

His Excellency has heartfelt gratification in now publicly relieving the burghers as a body from the aspersions attempted to be cast upon them, and in showing that the trust and confidence frankly and unhesitatingly reposed in them, upon their own assurances to himself in person, were not misplaced; and thus do loyalty and the true feelings of a Christian triumph over wicked endeavours to mislead good men.

By command of his Excellency, the High Commissioner,
(Signed) RICHARD SOUTHEY, Secretary.

District of Caledon, April 21, 1848.

To his Excellency Lieut.-General Sir H. G. SMITH, Bart., Governor of the Colony of the Cape of Good Hope, and Her Majesty's High Commissioner for settling the Affairs in the Territory on the N. and N.E. boundary of the Colony, &c. &c.

WE, the undersigned emigrants, residing in the district of Caledon, beg leave hereby to present to your Excellency our sincere congratulation on your safe arrival at Cape Town, the seat of your Government, after the great difficulties and privations which your Excellency has endured for us. We also beg to tender to your Excellency our gratitude for the wise and lenient measures you have adopted, whilst we are obliged to confess our unworthiness.

We assure your Excellency of our hearty thankfulness, and our unfeigned allegiance and attachment to Her Gracious Majesty the Queen.

In your Excellency's Proclamation we find no part which, in our opinion, can be improved upon.

That a merciful Providence may long spare your Excellency to reap the fruits of your wise and just Government is the prayer of

Your Excellency's most humble and grateful servants,
(Signed by J. T. SNYMAN, Commandant, and 181 others,
for which see the Dutch.)

Enclosure 5 in No. 1.

Encl. 5 in No. 1.

SIR,

Nooit Gedacht, April 24, 1848.

I HAVE to acquaint you that I have lately held six meetings in the district of Caledon, by order of Government, for the purpose of reading certain proclamations, and to ascertain the feelings of the people. I am directed by about 200 persons residing in this district to acquaint you, that they are very well satisfied, and grateful for the lenient measures of the Government, and that they will henceforth evince unfeigned allegiance and attachment to Her Majesty the Queen.

And those who have been among your community, let you know, that they have been misled and deceived, and totally withdraw themselves from your community.

I have, &c.,

Mr. A. W. J. Pretorius,
&c. &c.

(Signed) JACS. THEODS. SNYMAN.

This was also the expression of all in this part, that they are fully convinced that the Governor, H. W. Smith, had delivered them from all nations, and from being driven away, or taxes put upon their dwellings, in this part of the country which they now inhabit, called Boven Riet River and Slik Spruit, and a branch on and over Caledon's River, both, notwithstanding to the Government, never to meddle with the community, but to live quiet and peaceably under a civilized Government.

This was the expression of the people in this territory made to me.

I remain, &c.,
(Signed) J. T. SNYMAN.

NATAL.

Enclosure 6 in No. 1.

Encl. 6 in No. 1. SIR,

Spits Kop, April 28, 1848.

I HAVE to inform you that, since I last wrote to you, I have held three meetings, and all the burghers as far as Lower Riet River, and thence over towards the Orange River, are all of one mind, further to confirm their adherence to the Government and their obedience to the laws, as our Governor has been so merciful as to release us from oppression; and we are grateful, and confide in his fatherly assistance, as we are already convinced of his fatherly help. We also pray for our Governor that he may continue to be strengthened in wisdom by our God, through Jesus Christ.

Sir, do have the goodness to send me more of the proclamations of the 8th March, and also of the 29th March. I am greatly in want of them, so pray send them by the bearer. And we also request you will write us back how Mr. Rex found matters with Pretorius and the people in that part of the country. We remain, your obedient servants, in the name of the whole of my field-cornetcy and all in this part of the country,

Major Warden, Bloem Fontein,
&c. &c.

(Signed)

JAN HENDK. CLOETE,
Field-cornet.

(A true Translation.)

F. REX, Sworn Translator.

Encl. 7 in No. 1.

Enclosure 7 in No. 1.

EXTRACTS of a LETTER from Major WARDEN, British Resident at Bloem Fontein, to His Excellency Sir H. G. SMITH, Bart., G.C.B., Her Majesty's High Commissioner, dated Bloem Fontein, April 24, 1848.

"The emigrants beyond Modder River, in larger numbers, now appear to be more alive to their own interests, and your Excellency's manifesto has done much towards cooling the zeal of the turbulent party in the bad cause they were bent upon."

* Out of 500. See
Enclosure 3.

"I learn that the memorial lately forwarded to your Excellency by Mr. W. Jacobs contained the names of 71* emigrants, who were desirous to withdraw their signatures immediately the fraud practised on them by Mr. Pretorius and others was discovered, but the memorial was then in the hands of Mr. Jacobs, and any retraction could not be allowed."

"I now beg to convey to your Excellency my firm belief that, on the arrival of the magistrates for Winberg and the Caledon River, everything will go on well."

Encl. 8 in No. 1.

Enclosure 8 in No. 1.

PROCLAMATION

By his Excellency Lieutenant-General Sir Henry George Wakelyn Smith, Baronet, Knight Grand Cross of the Most Honourable Military Order of the Bath, Colonel of the Second Battalion of the Rifle Brigade, Administrator of the Government of the Settlement of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, and Ordinary, and Vice-Admiral of the same; and Her Majesty's High Commissioner for the settling and adjustment of the affairs of the Territories in Southern Africa, adjacent and contiguous to the Eastern and North-Eastern Frontier of the said Colony, &c., &c., &c.

WHEREAS I did, by a Proclamation, bearing date the 3rd of February, 1848, issued by me, in my capacity as Her Majesty's High Commissioner for settling and adjusting the affairs of certain territories adjacent to the colony of the Cape of Good Hope, proclaim, declare, and make known the Sovereignty of her said Majesty over certain territories north of the Great Orange River, in the said Proclamation mentioned and described: And whereas, at various times during the period for which Her Majesty's emigrant subjects have occupied parts or portions of the said territories, many marriages have taken place amongst them, which, owing to the impossibility of obtaining the presence or aid of any minister of the gospel, and of conforming to divers requirements of law, have not, as it is supposed, been solemnized in such a manner as to render the same valid and effectual: And whereas the said marriages were so irregularly contracted by reason solely of the necessity under which the parties lay, while deprived alike of religious teachers and of regular and established laws, and arose from no want of due reverence for the holy ordinance in question, or for the spiritual sanctions with which, amongst Christians, it is customarily and fitly solemnized: And whereas, taking these things into my consideration, and being desirous to confer upon Her Majesty's said subjects the important advantage of having their children's legitimacy established, and their said marriages legalized for all purposes of law, I have determined to exercise for that end the powers and authorities in me vested: Now therefore, I do, as Her Majesty's High Commissioner as aforesaid, hereby proclaim, declare, and make known the several following provisions and regulations, touching and concerning the marriages aforesaid; that is to say—

1st. The British resident in the territories aforesaid is hereby authorized and required to frame and preserve a general register of all such marriages as shall, under any of the provisions hereinafter contained, be transmitted or reported to him for registration.

2nd. Such general register shall set forth or show the names and residence of the husband

and of the wife; their respective ages and condition in life; the date of the marriage, and any other particulars which the said British resident may be instructed by the High Commissioner to record.

3rd. Every couple (except as hereinafter excepted) united together within the said territories as man and wife, in the presence of witnesses, by any form of words expressive of their mutual and solemn consent to become and be, then and there, and from thenceforth, married people, married together, may have their said marriage registered. But no marriage, or pretended marriage, shall be registered, in which the parties are connected with each other by consanguinity or affinity in such a degree that the Governor of the colony of the Cape could not by law have granted to them, if resident in the said colony, a valid dispensation or authority to marry, and that no valid marriage could, by the laws of the said colony, be therein solemnized between them, if domiciled in the said colony; and if any marriage, or pretended marriage hereby declared incapable of registration, shall yet be registered, such registration shall have or possess no force or effect. But no ground of objection arising from consanguinity or affinity which could in the said colony have been dispensed with, by the authority of the said Governor, shall prevent registration, or its consequences, as hereinafter declared.

4th. Whenever any two spouses, married as aforesaid, shall together come before the British resident, or any magistrate resident in the said territories, and shall declare the fact of such marriage, the resident or magistrate (as the case may be) shall ascertain and record in writing the names of the said spouses, their residence, the date and place of their said marriage, and their respective conditions in life at the time of such marriage, whether they were previously married or not; and such record shall be signed or acknowledged by the said spouses in presence of the resident or magistrate. When any doubt shall appear to rest upon the fact or date of the alleged marriage, the resident or magistrate may call for the certificate in writing, or the solemn declaration before himself of such credible witness or witnesses as were present at or cognizant of the said marriage; but when and as often as any such marriage shall have been contracted before and attested by any person or persons recognized at the time amongst Her Majesty's emigrant subjects, as holding a public office or authority, entitling him or them to attest marriage, any such attestation or a copy thereof shall, upon the identity of the married people being ascertained, be conclusive proof of the fact and date of the said marriage.

5th. In case it shall be inconvenient for both spouses to repair to the said resident, or to any magistrate, the latter may ascertain from the husband alone the circumstances aforesaid, and from them prepare the record. But when the husband shall appear alone he will provide himself with a written certificate or statement, signed by the wife, or acknowledged by her in the presence of two neighbours, who shall witness the same, in which certificate or statement the wife shall set forth the date of the marriage between herself and her husband. And this certificate or statement shall be preserved, together with the record signed by the husband. In case of any doubt as to the fact or date of the marriage, the resident or magistrate shall proceed as before in order to remove the same.

6th. Should either of the spouses have departed this life since contracting any such marriage as aforesaid, leaving the other of them still surviving, such survivor may appear before the British resident or any magistrate as aforesaid, and thereupon the record shall be prepared as if both spouses were living and present, except that the signature of the survivor alone shall be sufficient, and that the record shall set forth the death of the deceased. In every such case, moreover, the resident or magistrate shall require clear evidence, whether oral or by certificate or affidavit, as he shall judge necessary, of the fact and date of the marriage, and shall, when it is practicable, ascertain that the relatives or friends of the deceased concur in recognizing the said marriage.

7th. Should it happen, in any instance in which any such marriage shall have been contracted before and attested by any such persons in office or authority as are hereinbefore referred to, that either of the spouses shall refuse to join the other of them in obtaining the registration of the said marriage, then the spouse desiring such registration shall be at liberty to appear before the resident or magistrate, who shall, upon proof of such refusal and production of such attestation as aforesaid, or an authentic copy thereof, and upon such further inquiry or proof, if any, as the said resident or magistrate shall judge necessary, prepare the necessary record, to which the signature of the spouse applying shall be sufficient, and which shall set forth the refusal of the other spouse.

8th. It shall not be any ground for refusing to prepare a record of, or to register any marriage, that both or either of the parties to the same, at the time of contracting the same, were under age.

9th. When and as often as any such magistrate as aforesaid shall have prepared any such record as aforesaid, he shall, with all convenient speed, transmit the same, with all other writings or papers connected therewith, to the British resident, who shall register every such marriage; and in all cases in which the necessary records shall be prepared by such resident himself, he shall from or by means of them register the marriage therein mentioned.

10th. Every such marriage as aforesaid, when registered by the British resident, shall, from and after such registration, be a marriage as lawful for all objects and purposes as a lawful marriage within the colony of the Cape of Good Hope, and shall for all purposes and objects of a civil nature be deemed and taken to have been a lawful marriage from and after the date of the contracting of the same; but whether the same shall, from the date last mentioned, be deemed and taken to have been a lawful marriage for the purpose of a prosecution for bigamy or polygamy, in case either party shall afterwards during the life-time of the other party have contracted another marriage, shall be judged of and determined by the general principles of law, and independently of any of the provisions of this Proclamation.

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11th. And whereas some ministers of the Dutch Reformed Church of the Cape Colony have heretofore proceeded to the said territories for the purpose of performing therein, as generally as circumstances would permit, the rites and services of religion; and whereas certain of the emigrant subjects aforesaid have, from time to time, been married by such ministers, as also by the officiating minister in the Dutch Reformed Church at Pietermaritzburg, in the district of Natal; and whereas there is reason to suppose that in all cases in which any such minister as aforesaid shall have solemnized any marriage between parties who had previously lived together as man and wife, by virtue of any such irregular marriage as is hereinbefore mentioned, the said minister has recorded as well the fact and date of such previous marriage as the marriage solemnized by himself; and whereas it is fit that full credit be given to all matters so vouched, it is hereby declared and directed that the British resident shall receive all original marriage records made by any such minister, or authentic copies thereof, as evidence of the facts therein contained, and shall from or by means of them register the marriages therein mentioned, without requiring the presence of either spouse, or any further proof; and that from and after such registration every such marriage shall be deemed and taken to have been a lawful marriage, to all intents and purposes, from the date of the solemnization thereof by such minister, and to have been for all purposes of a civil nature a lawful marriage, from the date mentioned in the marriage record made by such minister, as that on which the first or previous marriage (if any) was contracted. But if, in any case, the fact or date of such previous marriage shall not appear in or by such marriage record, then the spouses or spouse desiring the registration of such first or previous marriage shall proceed in the same manner as is in that or the like behalf hereinbefore provided; but in every case the marriage solemnized by such minister shall, after the registration thereof, be deemed to be a lawful marriage, to all intents and purposes from the date of such solemnization.

12th. And whereas it is necessary to make temporary provision for the contracting of marriages within the territory aforesaid, pending the opening of churches and the settlement of fixed ministers within the same, it is hereby declared and directed that all persons who shall hereafter be married by any minister belonging to the Dutch Reformed Church of the Cape Colony, or person commissioned by the same to solemnize marriages within the said territories, shall be deemed and taken to be lawfully married, and such marriage shall be registered by the British resident aforesaid, from or by means of the marriage records of such minister or person, and no publication of banns shall be necessary.

13th. If it shall so happen that any person desirous to marry shall be unable to obtain the services of a minister, from whom their marriage might receive the solemn and becoming sanctions of religion, such persons may apply to, and come before the said British resident, or to the nearest magistrate, and each of them shall, in his presence, solemnly declare that they know of no impediment to their marriage, and that they desire him to witness that they take each other respectively to be husband and wife; and thereupon a record of the said marriage shall be prepared, and the same shall be duly registered; and every such marriage shall be deemed to be as valid and effectual, and of the same force and obligation, as a lawful marriage solemnized within the Cape colony.

14th. If both or either of the intended spouses be under age, the resident or magistrate (as the case may be) shall, before permitting the marriage (unless in the case of a widow or widower), require proof of the consent of the parents or guardians, unless it shall be made to appear to him that there are none such living, or that they, without sufficient reason, refuse consent, or that, owing to distance or other causes, such consent could not possibly, or without much inconvenience, be obtained. But no marriage, once permitted and recorded, shall be impeached upon the ground that both or either of the spouses, being under age, were or was married without consent of parents or guardians.

15th. A certificate, signed by the British resident, or officer acting as such, stating the registered particulars of any marriage registered by him or in his office, in pursuance of this Proclamation, shall be good evidence of such marriage before all courts and magistrates.

And, lastly, I do hereby proclaim, declare, and make known, that while, in my earnest desire to consult, as much as in me lies, the interests and feelings of all Her Majesty's subjects in the territories aforesaid, and those of their wives and children, I have determined to take all measures necessary for establishing their marriages aforesaid beyond dispute or controversy; nothing in this Proclamation contained is to be construed so as to render invalid any marriage contracted in the said territories, and not registered under this Proclamation, which marriage would otherwise by law be regarded as valid;—it being my wish and intention not now to decide that any sort or description of marriage is illegal, but to furnish an easy and convenient mode by which certain marriages now supposed to be illegal, may have their legality placed beyond doubt.

GOD SAVE THE QUEEN!

Given under my hand, and the public seal of the settlement of the Cape of Good Hope, this 17th day of May, 1848.

(Signed) H. G. SMITH.

By command of his Excellency the High Commissioner,
RICHARD SOUTHEY, Secretary.

Enclosure 10 in No. 1.

NATAL.

Encl. 10 in No. 1

EXTRACT from the "Zuid Afrikaan" Newspaper, dated Cape Town, May 22, 1848.

THE course adopted by Her Majesty's High Commissioner, with reference to the emigrant farmers, has been crowned with singular success. That this would be the case was our firm belief, and happy indeed are we now to find those predictions realized, and those hopes confirmed, which we had throughout expressed and entertained.

It may be, and is, no doubt, a source of vexation and chagrin to those evil-disposed persons among the emigrants, who are ever disposed to ignite the torch of discord, if not of rebellion, to find their machinations thus confounded; the well disposed, on the contrary, rejoice at the return of peace, security, and good government. Long enough have they been kept in leading strings by those bold characters, with whose mandates weakness and mutual distrust alone compelled them to comply, and gladly and gratefully do they hail the moment which enables them to return to their duty—to escape from tyranny and oppression—and to seek shelter and protection under the paternal wings of a government whose sole aim is to make them happy and contented.

The emigrants, generally speaking, are good men, possessed of true Christian feelings; but having been wronged and forced to abandon the land of their birth, it was but natural to conclude that they would be open to the overtures of unprincipled men who, whilst they pretended to espouse their cause, incited them to the commission of those foolish acts which might have ended in their destruction.

Even latterly, it would seem, endeavours were being made to give an erroneous interpretation to the acts of Her Majesty's High Commissioner, in order to mislead the people, and to strengthen disaffection. But we rejoice to find that the emigrants, undeceived by the prompt and prudent measures of his Excellency, have fully retrieved their former character;—they have been thoroughly convinced of their wisdom and leniency, and hence vow unfeigned allegiance and attachment to Her Majesty.

Henceforth a better state of things may therefore be anticipated. Religion and morality will make rapid strides—churches and schools and civil institutions will succeed each other, and diffuse knowledge and the blessings enjoyed by civilized society. Every privilege claimed by the citizens in the parent state will be conferred on men who were but lately mere wanderers in the desert, deprived of everything—exposed to everything—subject to the whims and controlled by the will of the most desperate characters.

It is no wonder then that the emigrants should invoke Heaven's best blessings on the head of him whose sympathy, compassion, and energy brought about such a state of things. Their affection towards him will receive a fresh impulse when they shall learn that he is still engaged in endeavours to ameliorate their condition. By a proclamation in last "Gazette" instructions have been given to the British resident at Bloem-fontein to register all marriages which have taken place in the country inhabited by the emigrants without the spiritual sanctions with which, amongst Christians, they are customarily and fitly solemnized. In the eye of the law all such marriages are invalid, but lest there should be any dispute hereafter about their legality, his Excellency has been pleased to proclaim that all marriages registered as desired by him shall be good and lawful marriages.

Thus has another stumbling block been removed, and the emigrants convinced that, whatever wicked souls may say to the contrary, their temporal and eternal welfare will ever form subjects of the most profound consideration in the mind of him who calls himself "their friend." If then they value friendship—they will show it by lasting gratitude, by proper conduct, by unfeigned and undivided loyalty and attachment. More is not required—less cannot be accepted.

(No. 94.)

No. 2.

No. 2.

EXTRACT of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B, to Earl GREY, dated Government House, Cape Town, June 13, 1848.

(Received September 2, 1848.)

"WITH the desire to keep your Lordship in full possession of the success which attends the measures I have adopted upon the northern and north-eastern frontier of this colony, I have the honour to transmit * herewith, copies and extracts of Reports connected therewith."

- * 1. Extract of a letter from Major Warden, p. 7.
- 2. Address from Caledon River to Mr. O'Reilly, p. 8.
- 3.† Letter from Mr. O'Reilly, conveying Messrs. Halse's offer.
- 4. Returns of Kafir depredations.
- 5. Extract of a letter from Sir H. Smith, respecting erection of churches.
- 6. Return of the military villages.

† Enclosures Nos. 3, 4, 5, and 6, are printed with the Kafir Papers, presented May, 1849.

Enclosure 1 in No. 2.

EXTRACT of Letter from Major WARDEN, British Resident, North-Eastern Frontier, dated May 27, 1848.

Encl. 1 in No. 2.

I HAVE the honour to acquaint Your Excellency that I left Mr. Biddulph at Winberg, on the 23rd instant. This officer was well received by the inhabitants residing in that vicinity; the 16th instant was the day named for our reaching Winberg, and it was the intention of about

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—

120 of the farmers to have met us on the road, but their plans were frustrated by the very inclement weather and impassable state of the rivers; a party however of 25 farmers were deputed by their brethren to await our arrival, and these expressed their loyalty and attachment to the British Government, and joy at having a magistrate at Winberg.

I have to day received a letter from Mr. Biddulph, which reports that all goes on well.

Encl. 2 in No. 2.

Enclosure 2 in No. 2.

SIR,

Caledon River, May 5, 1848.

WE, the undersigned inhabitants of the district of Caledon, beg to offer to you our sincere congratulations upon your appointment, as our Civil Commissioner and resident magistrate, and your safe arrival amongst us.

We hail the appointment of an officer of your well known ability and justice, the tried and valued friend of the farmers, not only as another proof of the wisdom and kindness of our excellent Governor, but as an event of the deepest importance to the inhabitants of this district.

We trust that you never may have occasion to regret your appointment.

We would beg to suggest to you, in the proposed site for the magistracy and village, that Quagga Fontein, now occupied by a French Missionary, as an agricultural farm, is the only really eligible farm for that purpose.

We would also request your confirmation of our appointment of our esteemed Commandant, Jacobus J. Snyman.

In conclusion we beg to assure you of our loyalty to our Most Gracious Sovereign the Queen, and as in duty bound, tender to you our services in any manner you may require, for the public good.

We have, &c.

(Signed by 135 inhabitants; 20 English, 115 Dutch.)

James O'Reilly, Esq.,
Civil Commissioner.

No. 3. (No. 100.)

No. 3.

Answered Sept. 26,
1848, No. 20, p. 84.

EXTRACT of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to Earl GREY, dated Government House, Cape Town, June 26, 1848.

(Received September 12, 1848.)

May 9, 1848.

June 20, 1848.

"WITH reference to my Despatch to your Lordship of the 6th May last, I have the honour to enclose herewith copies of a letter dated 9th May, 1848, addressed to me by his Honour the Lieutenant-Governor of Natal, and of my reply thereto; which I submit for your Lordship's information, and I trust, approval.

"My opinion as to the Zoolah Chief's aggression your Lordship will observe, is expressed in my reply to the Lieutenant-Governor."

Encl. 1 in No. 3.

Enclosure 1 in No. 3.

SIR,

Government House, Pieter Maritzberg, May 9, 1848.

WITH reference to my Despatch of the 23rd of March last, No. 8, I have the honour to transmit enclosed copy of the reply made by the Chief Panda to the message sent by me on the date (23rd March) stated, and of which a copy was enclosed.

I have also to transmit a copy of the Report of the Diplomatic Agent, of his journey to the Klip River country, for the purpose of warning the natives that they might be required to remove; and of inquiring into the allegation, that the Zoolah army had crossed our boundary.

From this Report your Excellency will perceive that that allegation appears to be correct, indeed it was admitted by some of Panda's messengers, who were sent hither with those I had employed.

As these people were not charged with any message to me, I satisfied myself with informing them that I would expect a communication from Panda on the subject.

Your Excellency will perceive, with pleasure, from Mr. Shepstone's Report, that he was well satisfied with the efficiency of the detachment of the native police which accompanied him, and that he made a march with this force through a country impervious to wheel-carriages, and consequently without any additional expense.

I have felt it my duty from time to time, during the last two years, urgently to represent the inadequacy of our military force, and it appears by Earl Grey's Despatches of the 4th

December, 1846,* and 10th December, 1847,† as well as by a Despatch written by direction of Sir Henry Pottinger to the Secretary of this Government, on the 1st November, 1847, No. 107, that, independent of any native force that may be raised, and even for their efficient control, Her Majesty's Government has always contemplated the increase of the military force here, especially in cavalry, as soon as the termination of hostilities on the eastern frontier would permit it.

I beg to solicit your Excellency's attention to my letter on this subject, to his Excellency the Governor, dated 5th February, 1847, No. 3, and to state that the necessity for the proposed increase of military does not appear to me to have diminished since the date of my said Despatch.

I have, &c.

His Excellency the Administrator of the Government,
Cape of Good Hope.

(Signed) M. WEST.

Enclosure 2 in No. 3.

Encl. 2 in No.

SIR,

Government House, Cape Town, June 20, 1848.

I HAVE had the honour to receive your letter, No. 20, Political, of the 9th May last. The reply made by the Chief Panda is, in my opinion, a very natural one; were the subjects of a civilized state to flee in bodies from the laws of their country, their rulers would be jealous, and germs of animosity be created; this reception, therefore, of the flying subjects of Panda, requires, as it appears to me, the exercise of great delicacy and vast discretion. In a previous communication you considered it expedient to place with Panda a British resident. I am much inclined to regard such a procedure as judicious, provided a discreet and competent person can be found for the purpose, and that the chief is not only willing, but rather desirous, to receive him. You are aware that Panda is opposed to any mission; hence it must be obvious, that to place a resident with him requires great tact and consideration. If you see that such an arrangement can be affected, I would readily recommend to Earl Grey that the resident should be allowed the same salary as those in British Kafraria, viz. 250*l.* a-year.

Adverting to the following extract of your letter under reply, "I have felt it my duty from time to time during the last two years, urgently to represent the inadequacy of our military force, and it appears by Earl Grey's Despatches of the 4th December, 1846, and 10th December, 1847, as well as by a Despatch written by direction of Sir Henry Pottinger to the Secretary of this Government on the 1st November, 1847, No. 107, that, independent of any native force that may be raised, and even for their efficient control, Her Majesty's Government has always contemplated the increase of the military force here, especially in cavalry, as soon as the termination of hostilities on the eastern frontier would permit it," I regret to be opposed in opinion. For two years the district under your Government has advanced rather than receded with a less efficient military force than is now at your disposal; and in your letter of the 6th October, 1847, addressed to my predecessor, you are so confident in your own strength, that you state that you "would have no difficulty in collecting, in a few days, a force of 10,000 natives residing in the district, armed with shield and assagai in the Zoolah manner," and that it is "probable that 200 natives, accustomed to the use of fire-arms, could also be found," with whom you proposed to aid Sir Henry Pottinger's measures against the Chief Sandilli. Your present force consists of, two guns horsed, thirty of the Cape corps, fifty of the 45th regiment mounted, with the remainder of the 45th regiment, a most efficient corps. There is a fort at D'Urban; and a very respectable and tenable Place d'Armes in Fort Napier, which could be maintained by the levy which I shall now propose, viz., a corps of volunteers at Pieter Maritzberg, and a second one at D'Urban, which could be armed without difficulty, as there are upwards of 600 muskets in store at Natal. You have a corps of 100 Kafir police; and I also recommend that the whole of the efficient natives be organized into bodies, similar to the Zoolah armies themselves.

With the regular troops, and by energetically carrying out the measures I propose, you may venture to set at defiance any inroad contemplated by the chief Panda; the probability of which, however, I regard rather as an imputation against that chief, than founded upon any reality. If he be treated fairly, his interest is to maintain an amicable relationship; but if he decidedly meditate a contrary course, and any overt act on his part give you just cause for so doing, send emissaries among his people, and induce them to flee from the tyranny, which, in the opinion of his subjects, apparently stamps his rule.

The desire you express for an increase of force can have reference only to an inroad from the chief Panda; for depend upon it the Burghers are far more fearful of that chief than inclined to join in any of the wild projects invention has attempted to disseminate, in my mind romantic and groundless.

I shall, however, submit your letter with this reply to the Secretary of State; but I cannot at the same time entertain any expectation that Earl Grey would authorize any military addition to Natal; on the contrary, such is the present state of Europe, that I am prepared to make further reduction in the troops in British Kafraria, and to hold them in readiness to obey whatever orders I may receive.

It most certainly does, as I have anticipated, give me great satisfaction to receive so favourable a report of the efficiency of the Kafir police. This, however, only meets my

* Page 93, Papers relative to Natal, presented by command, July, 1848.

† Page 137, ditto.

NATAL.

expectation, and affords an additional proof that energetic measures, and an appeal to your own resources, will ever render you powerful within your districts, and capable of repelling encroachments from without.

His Honour the Lieutenant-Governor,

I have, &c.
(Signed) H. G. SMITH.

P.S. I have omitted in the body of this letter to remark that a small work thrown up at Bushman's River might be useful.

No. 4.

(No. 104.)

No. 4.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B. to Earl GREY.

Answered Oct. 23,
1848, No. 199, p. 86.

MY LORD,

Government House, Cape Town, July 5, 1848.

(Received, September 26, 1848.)

4.

IN continuation of my correspondence with his honour the Lieutenant-Governor of Natal, with especial reference to the Chief Panda, I have the honour herewith to transmit to your Lordship the copies enclosed.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.
(Signed) H. G. SMITH.

Encl. 1 in No. 4.

Enclosure 1 in No. 4.

Government House, Pieter Maritzberg,
May 19, 1848.

SIR,

I HAVE the honour to transmit enclosed, for your Excellency's information, copies of two messages just received from the tribes in whose favour I recently endeavoured to interfere with the Zoolah chief.

In Panda's reply to my message, forwarded with my letter of the 9th instant, your Excellency will observe that while he threatened to leave the tribe of Putile "whitening," as he had sustained injury from them, he engaged to leave these tribes, against whom he had nothing to allege, unmolested.

It appears, notwithstanding, that they have reason to apprehend entire destruction, unless they can obtain such intervention from this district as will secure their retreat into it.

I am not disposed to attach much importance to the statements of these people that Panda intends to attack this district, but I must beg your Excellency's attention to the fact that his army has lately passed through a part of our territory, and that his last message intimates that he would not hesitate to pursue the tribes whom he avows his intention to destroy, wherever they may go.

On a former reference to Sir Peregrine Maitland, his Excellency sent me, on the 21st September, 1846, the following extract from a Despatch from the Secretary of State:—"Under any circumstances, however, I trust that Lieut.-Governor West will use his best endeavours so to shape his proceedings as to avoid having recourse to hostilities with the Zoolahs, or to interference with the Kafir chief Panda and his subjects, or between Panda and the adjoining tribes;" and at the same time intimates, through the secretaries to Government, His Excellency's "recommendation to abstain from any armed interference beyond the district of Natal, should the native tribes go to war with each other, unless the safety of our own people or territory should absolutely demand it."

Though I admit that if at liberty to consult my personal feelings in this matter, I should try to secure the retreat of these people into the district, I shall, under the instructions I have cited, content myself with reporting the circumstances to your Excellency, and by stating that I have informed the messengers that I cannot send any force across the boundary.

I shall not feel myself justified in holding out any encouragement to these people to enter the district, having before me the sentiments of Sir Henry Pottinger, as expressed to me in his Despatch of the 15th July, 1847, of which the following is an extract:—"My conviction daily becomes stronger that it is desirable to check, as far as possible, the influx of petty chiefs and their tribes into Natal, both because they occupy land that may hereafter be turned to better account for European settlers, and, more particularly, because our affording protection to such refugees seems sure to involve us in angry and unsatisfactory discussions with their paramount chiefs, over whose conduct and proceedings we can hardly be said to hold the smallest control. I am sensible, however, how extremely difficult it is to draw the proper line in the case of such applications as you have lately had to decide on, and I state the above impressions more for your Honour's consideration than guidance. Copies of your Despatch and its enclosures, and of this reply, will be transmitted for the information and commands of the Right Hon. the Secretary of State."

His Excellency the Governor,
Cape of Good Hope.

I have, &c.,
(Signed) M. WEST.

ESTABLISHMENT OF THE SETTLEMENT OF NATAL. 11

Enclosure 2 in No. 4.

NATAL.

STATEMENT of a MESSENGER sent by the Chief "LANGULABELE" to his Honour the Lieut.-Governor of Natal, 15th May, 1848.

Encl. 2 in No. 4.

Six days ago I left "Langulabele," and have travelled with all my might to reach this place. My chief has sent me to report that he found himself surrounded at daybreak by a Zoolah army, consisting of eight divisions. The principal part of this army crossed into the district of Natal, and succeeded in taking him by surprise, because it traversed territory which he did not expect it might travel over, being British territory. When he found himself attacked, he determined to resist to the last, and did so. The result was that he saved a number of his own cattle, but those of the people were taken. In the fighting that took place only four of my chief's men were killed, while the number that fell on the Zoolah side was 118 men. This arose from our attacking them at night, when they fancied themselves secure, after they had taken the cattle. It was on this occasion that the greatest loss was inflicted on them.

I am further sent because, a few days before I left, four messengers from Panda arrived at my chief's Kraal. They said they were sent to "Langulabele" to give him notice that Panda would revenge himself for the loss inflicted upon his army; that he would destroy him and his tribe utterly; that he must plait for himself a rope that will raise him from the earth to avoid his vengeance, but that so long as he remains on its surface he cannot avoid it. He might think of assistance from the "Frogs" (meaning the English), but that this hope was also a vain one, as he would find to his cost.

"Langulabele" replied that he had done nothing to provoke the attack that had been so treacherously made upon him, and that he had merely defended himself; that the chief of the Zoolahs did not know how to conciliate the affections or to secure the confidence of his neighbours or his subjects; his service is a heavy one. "Langulabele" confessed that his confidence and affections all leaned towards those whom Panda calls "Frogs," and said he knew this was the cause of his offence towards Panda. He said that he should plait no rope; that he should die, if such must be, possessed of these feelings; that his destruction will come upon him on account of his respect for the British Government.

The messengers left saying, "Your destruction is inevitable; your rocks and caves will not save you; your cattle which you have sent away for safety shall become the inheritance of those to whose care they are entrusted, when you shall be no more."

My chief wishes me to say that he treated these messengers with respect, and allowed them to depart in peace. He is fully aware that Panda hoped he would have acted otherwise, but he would not give him cause for what he may do.

He now begs to inform the Lieut.-Governor of Natal that his destruction is decreed; that he has had formal notice of it; and that it is certain unless the Government, for whose sake he dies, interferes in his behalf. He has done nothing to offend Panda beyond admiring the justice and mercy of the British Government, and this to his own people over whom he was born chief; he earnestly prays the Lieut.-Governor to save him, as no other power can; he entreats the Lieut.-Governor will allow him to take refuge within his district, and that he will send a few horsemen to afford him a safe conduct. He hereby tenders himself, his tribe, and his all to the British Government; he will for ever serve it faithfully and zealously. He and his women and children are living in caves and rocks, and these are but a frail protection against so powerful an enemy, whose spies already fill the country, and to whom every corner is known. Without a safe conduct of a few men his moving will be but the signal of his destruction, seeing that the moment he leaves his fastnesses it will be known.

"Langulabele" trusts his prayer on this occasion may not be rejected; he has no other hope or confidence except in that Government, his respect for which has brought destruction upon him.

(Signed)

"UMGIGIMI."

his
X
mark.

Enclosure 3 in No. 4.

Encl. 3 in No. 4.

STATEMENT of the MESSENGERS sent by the Chief "MAGONONDO" to his Honour the Lieut.-Governor of Natal, 16th May, 1848.

WE are sent by our chief to thank the Lieut.-Governor for the message he promised to send to Panda on his behalf and that of his tribe; whatever Panda may promise he will not perform; he destroyed our tribe, telling us his cause of quarrel was with "Putile," and not with us; but we found to our cost that he was merely deceiving us, the more effectually to destroy us. We thank the Lieut.-Governor for his word to Panda, and his disposition to assist us. Panda intends our destruction, and he will not perform any promises he may make. Our chief and tribe earnestly entreat the Lieut.-Governor of Natal to assist us, by pointing out to us where we might take refuge.

We are living in rocks and caves, and our women and children are dying from disease and starvation, and we have no hope of escape, unless the Lieut.-Governor assist us. These are our chief's and people's words, which they have sent us to lay before the British Government, the only hope of black people.

Our chief has also directed us to warn the Lieut.-Governor that the Zoolah army will make an attack upon the tribes within the district. This information has been brought to him by

C 2

NATAL.

some of his own people who were living in the service of the Zoolahs, and others who had been taken prisoners and escaped, who further stated, that messengers had been sent by Panda to return with those of the Government, in order to procure what information was necessary; and that Panda had given an order to his people on this side to reap their corn and store it forthwith to prevent its plunder by the army.

Our chief and his people believe it will soon come to pass, and therefore give the Lieut.-Governor this warning.

(Signed)

MANTANTANA.

his
X
mark.

Encl. 4 in No. 4.

Enclosure 4 in No. 4.

MESSAGE of the Zoolah Chief PANDA to his Honour the Lieut.-Governor of Natal.

"I THANK for your message; I thank for the notice of difference between us; we shall differ if 'Putile' is placed between my people and those of the British Government. I have no cause of complaint against 'Magonondo,' 'Langulabele,' and 'Manglankampser;' they may re-occupy their country; but with 'Putile' I have a difference; he killed my people while sleeping at his kraals. My great men have only gone to avenge themselves as yet, but when I go, I shall leave all 'whitening.'

"I wish to live in peace with the British Government, and to follow the steps of my brother, 'Chaka,' in this respect."

No. 5.

(No. 106.)

No. 5.

Answered Oct. 23,
1848, No. 202, p. 87.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to Earl GREY.

Government House, Cape Town, July 26, 1848.

(Received October 5, 1848.)

MY LORD,

ALTHOUGH happily I have been heretofore enabled to report how satisfactorily the measures I had adopted for the rule of the emigrant Boers beyond the Orange River had progressed, I have now the honour to state to your Lordship that this progressive system has been interrupted by the so-called patriots and the arch agitator Pretorius. Scarcely was the latter in possession of the current of events in Europe, than he exerted himself to the utmost to agitate the evil-disposed, to intimidate the undecided, and to overwhelm with apprehension the loyal; stating that I should be obliged to send home all the troops to the aid of England, and that the time had arrived to proclaim themselves a republic, he, himself, being of course the First Consul. On the 22nd instant I received the enclosed Report, marked No. 1, from Major Warden, the British resident at Bloem Fontein; and I immediately issued the Proclamation, marked No. 2, offering 1000*l.* reward for the apprehension of this treacherous rebel Pretorius, and 1000*l.* for any information which might lead to his apprehension. This will make the villain aware of his rebellious position, and in a divided society create that mutual distrust which it is my object to establish. I have besides directed

4 companies of the Cape Corps,
2 guns,
2 companies 45th Reserve Battalion,
2 companies 91st Reserve Battalion,
2 companies Rifle Brigade,

To march from the eastern frontier on Colesberg, there to await my arrival. The 73rd Regiment was in the act of moving to Cape Town; half had embarked in Her Majesty's steamer "Dee;" the other half I have for the moment halted in British Kafraria. Two companies of the Cape Mounted Rifles and one gun will reach Colesberg on the 29th instant, and be available to reinforce Major Warden, and I shall arrive at Colesberg on the 7th or 8th proximo. I could not sooner procure relays of horses; and the troops will be in readiness to cross the Orange River, if I find it requisite, about the 15th of August.

This, my Lord, sounds very warlike; but I apprehend that this outbreak will fall of itself to the ground so soon as Pretorius hears of his own value in my estimation, and of my approach with troops. I have so drawn these companies from the different posts in Albany and British Kafraria, that each is

No. 1.

No. 2.

maintained as before; and the expense, which ever startles the general in military arrangements, will consist only in some extra transport. The troops cost the same wherever they may be. Economy shall be truly observed, and the insurgents shall be made to pay, for the well affected ought to have rallied round Major Warden, and resisted Pretorius's threats and falsehoods. But it is a most extraordinary fact that these people tremble at his name, and obey his call, while inwardly groaning under what they deem his oppression. It shall very soon be shown whose authority is paramount, that of Her Majesty of England, or of this rebel.

NATAL.

I enclose a variety of documents, marked from No. 3 to No. 7, to show the line of conduct pursued by Pretorius; and that I have not been precipitate in the decided step I have taken to proclaim him a rebel and endeavour to apprehend him. My personal kindness to this arch agitator could not be exceeded. In talking over his imaginary grievances, when I met him on the River Tugela, I said, "ah! admit there are faults on both sides, we are taught "to forgive." He exclaimed, the tears rolling down his cheeks, "if your "brother offend you seventy times seven, forgive him." Although I could perceive to what his ambition tended, from that moment I was induced to place confidence in his promises. He may depend upon it the day of reckoning approaches: but, my Lord, although I write to show that I entertain a just sense of my imperative duty, your Lordship may rest assured that as I hate war, or any appeal to arms, so shall every vigorous act of mine contribute to its legitimate objects, peace and tranquillity. I attach no great importance to this outbreak, which I well know will vanish at my approach.

Nos. 3 to 7. f

I have addressed a letter to the Lieut.-Governor of Natal, of which the enclosed is a copy, putting him on his guard; but more especially for the purpose of disseminating the Proclamation for the apprehension of Pretorius.

No. 8.

I close this Despatch, my Lord, by again assuring you that this outbreak is of little moment, and will be immediately at an end. It will, moreover, enable me to establish rigid in lieu of conciliatory measures, until a society, so long unaccustomed to restraint, can rule itself. It is, in fact, probably a matter for congratulation that it has occurred; for unless these turbulent Boers be brought now under full subjection and rule, a mass of white barbarians would be engendered on our northern frontier, who hereafter would be a curse to the colony.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) H. G. SMITH.

P.S.—I have this day, 27th July, received some additional information from "Bloem Fontein." Pretorius is much on the alert, forcing, by intimidation, well-disposed men to join him. To show, therefore, the power I possess, I have directed the head-quarters and right wing of the 73rd Regiment not to disembark in Table Bay, but to proceed to Natal, after landing their women and heavy baggage, for the purpose pointed out in my second letter to the Lieut.-Governor.

No. 9.

I have also issued a second Proclamation, a copy of which I enclose, proscribing another rebel.

No. 10.

H. G. SMITH.

Enclosure 1 in No. 5.

Encl. 1 in No. 5.

SIR,

Bloem Fontein, 7 o'clock P.M., July 13, 1848.

I HAVE, within the last hour and a-half, been stopped within six miles of Bloem Fontein, by a patrol of 25 armed boers. Had I not fortunately had 12 Cape Corps men with me I should now have been a prisoner.

I was employed in giving out land certificates between Modder River and Winberg, when Mr. Biddulph joined me, and reported that his district was in a state of open rebellion. Early this morning a messenger reached me from Winberg, stating that Pretorius had entered that village with 500 men.

I heard also from various sources that patrols were moving about the country in the neighbourhood of Bloem Fontein, which induced me to send there for a party of 12 men to escort me back. This party had reached me; and having recrossed the Modder River, I was riding a couple of miles a-head of my party and waggons, in company with Mr. Biddulph, when the above-mentioned body of armed boers were seen galloping across the country, to intercept us at the drift on Rhinoster Spruit. We galloped back to the Cape Corps, the farmers in pursuit;

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but the soldiers showed a bold front. The boers called out not to fire; that they wished a parley. On advancing towards them with Mr. Rex, the head of the party, Mr. Andries Standers produced an imperative order, in Mr. Pretorius's hand-writing, to take me prisoner and bring me to the rebel camp. I told them, ere they should do that, I and my party would shed the last drop of our blood. They said Pretorius' wish was, that I should come to his camp and see with my own eyes the overwhelming numbers he commanded, as he imagined it might prevent unnecessary bloodshed. I pledged my word that Rex should be at Modder River in two days, to meet Mr. Pretorius, and receive any communication he might wish to make to me. I should be wanting in my duty if I did not add that the whole country beyond Modder River seems to have joined this man. Even Mr. Erwe, whom I left to-day with tears in his eyes, said that for the protection of his family he must succumb to so overwhelming a force.

I have sent letters to-day to Moshesh, Moroko, and Moletsane, requesting them to occupy the upper part of the Modder River; but I fear, since my personal rencontre with the rebels, that the native force will be prevented reaching that point. I am now engaged in strengthening my position at Bloem Fontein, which I shall do my best to hold; how long I shall be able to do so it is impossible to say. Your Excellency being aware what a very small force I have to depend on, while that of the rebels hourly increases.

Mr. Bain has volunteered to carry this letter to Colesberg, and will start at midnight.

I have, &c.,

(Signed) H. D. WARDEN, British Resident.

His Excellency the Governor,
&c. &c. &c.

I send a duplicate of this letter to Colonel Somerset, to give that active officer timely notice of my position here, and to enable him to prepare an adequate force.

H. D. W.

Encl. 2 in No. 5.

Enclosure 2 in No. 5.

PROCLAMATION

By his Excellency Lieutenant-General Sir Henry George Wakelyn Smith, Baronet, Knight Grand Cross of the Most Honourable Military Order of the Bath, Colonel of the Second Battalion of the Rifle Brigade, Governor of the Colony of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-Admiral of the same; and Her Majesty's High Commissioner for the settling and adjustment of the Affairs of the Territories in Southern Africa, adjacent and contiguous to the Eastern and North-Eastern Frontiers of the said Colony, &c. &c. &c.

WHEREAS I have this day received information that certain subjects of Her Majesty, resident to the north of the Great Orange River, in the territories over which, by my Proclamation bearing date the 3rd of February, 1848, I did proclaim and declare Her Majesty's sovereignty, are in open rebellion against Her Royal authority; and whereas such rebellion has been most wantonly and wickedly fostered and excited by one Andreas Wilhelmus Jacobus Pretorius, late of the district of Natal, who has thus committed the crime of high treason; and whereas, pending the issue of the other measures already in progress for the swift suppression of the said rebellion, it is expedient that the said Andreas Wilhelmus Jacobus Pretorius should, if possible, be secured and brought to punishment:—Now, therefore, I do hereby proclaim and offer a reward of One Thousand Pounds to any person or persons who shall apprehend the said Andreas Wilhelmus Jacobus Pretorius, and lodge him in any of Her Majesty's prisons, or with any officer in command of any of Her Majesty's forces;—and further, a reward of One Thousand Pounds to any person or persons who shall give such information as shall lead to the apprehension of the said Andreas Wilhelmus Jacobus Pretorius.

GOD SAVE THE QUEEN!

Given under my hand and the public seal of the settlement of the Cape of Good Hope this 22nd day of July, 1848.

(Signed) H. G. SMITH.

By command of his Excellency the Governor and High Commissioner,

(Signed)

JOHN MONTAGU,
Secretary to Government.

RICHARD SOUTHEY,
Secretary to the High Commissioner.

Encl. 3 in No. 5.

Enclosure 3 in No. 5.

STATEMENT by Mr. BIDDULPH in explanation of the annexed Letter from Andreas Pretorius to Mr. Thomas Theron.

ABOUT eight months back a boer of the name of Commering (or Combrink) was murdered by a party of Corannas residing in his neighbourhood. It is said they were instigated to commit the murder by certain boers with whom he was at enmity on account of his adherence

to the British Government. Some investigation took place at the time; but none of the parties were brought to justice. Captain Warden took steps for the removal of the natives from that locality; but they have, since his Excellency's proclamation, been invited to return by John Vermenlen, and to live upon a farm of his adjoining that of Mr. Thomas Theron, who is a respectable farmer, and lately chosen by the Church Commission an elder of the church at Winberg. Vermenlen is the person at whose place the public meeting was held two days after the magistrate arrived at Winberg, and one of the number, apprehended by Major Warden some time back, confined in Colesberg Prison, and afterwards pardoned by his Excellency Sir P. Maitland.

About a fortnight after the arrival of the magistrate, Acting Field-cornet Greyling and several farmers waited upon him to complain that Vermenlen was harbouring for evil purposes upon his place natives of all tribes to the number of 200, who acknowledged no chief, but who were, in fact, people that had ran away from Molitsani, Sinkonyala, Jan Bloem, and other chiefs, and that Vermenlen defied the power of the magistrate to remove them. Whilst the magistrate was in communication with the chiefs for the withdrawal of these people, two of Mr. Theron's sons suddenly came upon six of them in the act of committing a theft, and in endeavouring to apprehend them took from them a gun and an assagai (the shaft of which was broken in the struggle). Next day a complaint was lodged with the magistrate in the usual manner, and the gun and assagai left in his office. The Chief Molitzam and the Rev. Mr. Damnas were at Winberg, and in conversation with the magistrate on the subject, the very day the Coranna preferred his complaint to Pretorius, which he no doubt did at the instance of Vermenlen, as he was seen going to the meeting on the 20th in company with 15 armed Corannas.

Immediately on the receipt of the annexed letter, Mr. Theron, conceiving his life in danger, came to advise with the magistrate, and it was thought prudent to restore the gun and assagai to their owners.

In the absence of direct proof of Pretorius being at the meeting on the 20th (which the magistrate may not be able to procure), this letter goes to show that he was at Zand River on the 21st, and, in his assumed capacity of commandant-general, held what he presumes to call a council of war (virygs road).

That the letter is in the hand-writing of Pretorius the magistrate has abundant proof, should it be required.

(Signed) T. J. BIDDULPH.

Magistrate's Office, Winberg, June 27, 1848.

(Translation.)

Enclosure 4 in No. 5.

Encl. 4 in No. 5.

SIR AND FRIEND,

Zand River, June 21, 1848.

I TAKE the liberty to inform you that to-day certain bushman or coloured chief, named Jonas, came to complain at the council-of-war that you took from him a gun and an assagai. Sir, I advise you, under the present circumstances, to give back his property, before you get the same fate as Commering.

Regard the time in which we live.

With respect, I remain your Friend, &c.,

To M. Th. Theron,
Down Springht.

(Signed) A. W. J. PRETORIUS,
Comm.-General.

Enclosure 5 in No. 5.

SIR,

Maasstrom, July 10, 1848.

Encl. 5 in No. 5.

I CONSIDER it my duty to transmit to your Excellency the enclosed letter, dated, District Winberg, June 20, 1848, and signed A. W. J. PRETORIUS, Comm.-General, which was delivered to me yesterday by a man calling himself Lewis van der Linde, who stated that he was sent with it express by certain Louiv Pretorius.

Besides this motive of imperative duty, I deem it necessary that the Government should be in possession of so clear a proof of the pitiful state of ignorance into which the emigrant farmers are sunk, and how much they deserve compassion when their leader can be the dupe of such palpable imposture.

I am not sufficiently acquainted with Pretorius's writing to be certain that the enclosed is not a forgery, but, at any rate, it affords a melancholy specimen of the fruit of many years' agitation, deception, and mistake, operating upon the minds of rude men, whom I was able more than once to designate as the best disposed and easiest managed in Her Majesty's dominions, and for whom I cannot help feeling the deepest commiseration.

I have, &c.,

(Signed) A. STOCKENSTROM.

His Excellency Sir H. G. Smith, Bart., G.C.B.,
Governor, &c.

NATAL.

Encl. 6 in No. 5.

Enclosure 6 in No. 5.

District Winberg, June 20, 1848.

The Baronet Sir A. STOCKENSTROM.

SIR,

To my great dissatisfaction I have this moment received a communication through the Commandant, L. Pretorius, that you have sent a post to me, and that the valuable life of the bearer has been taken away, and their head stung and horses cast into the Great River.

Sir Andreas, I am continually on the move, and had called a public meeting on the 15th May, and I had the people on the move from Origstad to the Great River; but by evil-minded persons a hindrance occurred, and now it is postponed until we hear from you. I have been myself to Panda, and he stood ready with his force to go with us, and sweep Natal clean. All other chiefs who are still living with the British are with us; Moshesh and Moroko were the last, but now that their land is measured, and Panda is threatening them, they are also wavering, and if they do not soon submit to us I will set Panda upon them. I hear that you have made a contract with them, and that the same has also been lost, for which I am very sorry.

I do not say that all the people here are united (of one mind); there are small differences, but a very large body has again chosen me as Commandant-General. Now, if they remained faithful to me, I shall, until my death, do everything for their liberty, what, by the help of God, I have in my power.

I should have sent a post to you on the 15th May, when we were together, and I have now come here to see how things are going on. I am quite ignorant with the movements over the world, and found your unfortunate tidings (apparently alluding to the last post), by which I have lost much; but I send you this, and hope that I shall soon hear from you. I trust that you will inform me whether there be any danger that other powers will take our country, if we can deliver it from the English.

I shall also declare to the world that we have a claim to the Natal territory. As soon as we have done here we shall go to Natal. Almost all the boers had left that district; some had returned with their cattle for the winter; still they adhere to our community.

It would have given me much light had I received your post. The emigrants never will submit; they will fight or move further off. There is a general scarcity of powder and lead. Whatever you may wish to send to me you must forward to L. Pretorius. We had fixed a move, day of attack, but now we shall wait for tidings from you, and keep everything in readiness.

There are still traitors among us; many of them are constantly for us; and so soon as I have the force assembled I will treat the others as traitors.

We have done nothing yet to the magistrates; when we commence we will do all. The Commandant, H. Potgeiter, is with a few people far from us; he does not like fighting. I have heard from L. Pretorius that you have sent a messenger to him for search for your post, and he has heard the news from him that you are on the move. I do not hope that there was any misunderstanding.

You can rest assured that no Black on this side will attack a White, for although they will not all go with us, they will neither go with the British. The most difficult work here is among ourselves, because all the Africkanders don't see what we see.

I have been to Origstad to unite the people, but I could not get them all to the same thing (mind), but when they shall see the operations, and the stream, they will all flow into it.

I have tidings from Natal that the English Kafirs are suing for peace with us, and that they also withdraw themselves from the British.

It is a pity you could not have brought the post in a concealed place; now the river is low, and they can cross it anywhere.

I hope that you will receive this hasty and short account, and rest assured that I will sacrifice my life for liberty.

I have, &c.,
(Signed) A. W. J. PRETORIUS,
Commandant-General.

Sir A. Stockenstrom, Bart.

Encl. 7 in No. 5.

Enclosure 7 in No. 5.

SIR,

Government House, Cape Town, July 19, 1848.

I HAVE this day had the honour to receive your letter of the 10th instant, transmitting me one from A. W. J. Pretorius; and I beg to thank you individually and on the part of the Government for having done so. As you so justly observe, it is melancholy to see really good men so deluded. Their improving condition, I admit, is next to my heart, as I hope all my acts towards them have demonstrated; and, notwithstanding Pretorius's opposition, I am of opinion order advances rapidly, and agitation is on the wane. I very much regret the part Pretorius has taken, after the manner I treated him, and the appointment I placed him in, when he might have done his friends good; but I would freely forgive him were he to wish it.

I have, &c.,
(Signed) H. G. SMITH.

Sir A. Stockenstrom, Bart.,
&c. &c.

Enclosure 8 in No. 5.

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SIR,

Government House, Cape Town, July 24, 1848.

Encl. 8 in No. 5.

THAT treacherous rebel, A. J. W. Pretorius, having at last most fully developed his ambitious designs, and heading a party in open rebellion north of the Orange River, I have the honour to transmit some copies of a Proclamation I have issued, offering 1000*l.* reward for his apprehension, and which I request you would cause to be reprinted, and to give it a most general circulation.

A force is now *en route* on Colesberg, and I hope to cross the Orange River by the 15th proximo, and most speedily and effectually to put down this revolt, and to punish the ring-leaders. In the meanwhile I request you would organize the resources under your control, as pointed out in my letter to your Honour of the 20th June last.

I have transmitted this Despatch by a man-of-war in order to put you on your guard, and to show you that I am in earnest to quell this revolt. The man-of-war will not await any reply, H.M. ships being averse to anchor off Natal.

So soon as I have crossed the Orange River with the troops, I shall endeavour to communicate with you by the Draakberg.

His Honour the Lieut.-Governor,
Natal.

I have, &c.,
(Signed) H. G. SMITH.

Enclosure 9 in No. 5.

Encl. 9 in No. 5.

SIR,

Government House, Cape Town, July 26, 1848.

THE rebel Pretorius is most active over the Orange River. I have therefore the honour to acquaint you that I have sent to Natal, as a temporary re-inforcement to your troops, the head quarters and right wing of the 73rd Regiment; a detachment of soldiers which will so add to your force as, with the resources at your disposal, will not only render you strong and well protected, but it will also show the disaffected boers that we have the means of coercion; and hereafter, as I may move towards the Draakberg Mountains from the Winberg side, I may call upon you to make a demonstration in that direction, to intercept fugitives and disaffected.

I send a duplicate of this letter to the officer in command of the troops, and I recommend you and him to march from D'Urban the detachment 45th Regiment, and to leave the 73rd as a reserve at the fort at D'Urban until I settle matters on the northern frontier, when I shall immediately order to Cape Town this corps.

I herewith enclose additional Proclamations, proscribing William Jacobs, of Winberg, as act and part in the rebellion, which I pray you to reprint and give general circulation.

His Honour the Lieut.-Governor,
Natal.

I have, &c.,
H. G. SMITH.

Enclosure 10 in No. 5.

Encl. 10 in No. 5

PROCLAMATION

By his Excellency Lieutenant-General Sir Henry George Wakelyn Smith, Baronet, Baronet, Knight Grand Cross of the Most Honourable Military Order of the Bath, Colonel of the Second Battalion of the Rifle Brigade, Governor of the Colony of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, and Ordinary, and Vice-Admiral of the same; and Her Majesty's High Commissioner for the settling and adjustment of the affairs of the Territories in Southern Africa, adjacent and contiguous to the Eastern and North Eastern Frontier of the said Colony, &c. &c. &c.

WHEREAS, in reference to the rebellion of certain subjects of Her Majesty, resident to the north of the Great Orange River, announced in my Proclamation of the 22nd instant, it has been made to appear to me that one Willem Jacobs, of the district of Winberg, in the territories aforesaid, has taken a prominent part in misleading the ignorant, and terrifying the timid, in order to induce them to join in the present most wanton and wicked insurrection: And whereas the said Willem Jacobs has thus subjected himself to a charge of high treason, and it is expedient that he should, if possible, be brought to punishment:

Now, therefore, I do hereby proclaim and offer a reward of Five Hundred Pounds to any person or persons who shall apprehend the said Willem Jacobs, and lodge him in any of Her Majesty's prisons, or with any officer in command of any of Her Majesty's forces; and further, a reward of Five Hundred Pounds to any person or persons who shall give such information as shall lead to the apprehension of the said Willem Jacobs.

GOD SAVE THE QUEEN!

Given under my hand and the public seal of the Settlement of the Cape of Good Hope, this 27th day of July, 1848.

(Signed) H. G. SMITH.

By command of his Excellency the Governor and High Commissioner,

(Signed) JOHN MONTAGU,
Secretary to Government.

RICHARD SOUTHEY,
Secretary to the High Commissioner.

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(No. 132.)

No. 6.

No. 6.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Government House, Cape Town, July 29, 1848.
(Received October 24, 1848.)

Answered Nov. 17,
1848, No. 224, p. 89.

MY LORD,

Ord. No. 4. 1848.

I HAVE the honour to submit, for the gracious allowance of Her Majesty, the accompanying Ordinance, No. 4, of 1848, "For rendering legal certain Marriages supposed to be invalid;" enacted by me with the advice and consent of the Legislative Council.

Your Lordship will perceive that the object of this enactment is to extend the provisions of the Proclamation of the 17th of May last, which formed an enclosure to my Despatch, No. 87,* of the 22nd May, 1848, to territories situated within the colonial boundary.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) H. G. SMITH.

Encl. 1 in No. 6.

Enclosure 1 in No. 6.

H. G. SMITH.

ORDINANCE enacted by the Governor of the Colony of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, for rendering legal certain Marriages supposed to be invalid.

Preamble.

WHEREAS his Excellency Sir Henry George Wakelyn Smith, Baronet, G.C.B., &c., &c., &c., Her Majesty's High Commissioner for the settling and adjustment of the affairs of the territories of Southern Africa, adjacent and contiguous to the eastern and north-eastern frontier of the colony of the Cape of Good Hope, did, by his Proclamation, bearing date the 17th of May, 1848, of which a copy is set forth in the schedule hereunto annexed, make provision for rendering valid and effectual certain marriages or reputed marriages in the said Proclamation described; and whereas it is expedient that the marriages so legalized by the said High Commissioner in and for the certain territories in the said Proclamation mentioned (being part and parcel of Her Majesty's dominions, but no part or parcel of this colony), should likewise be rendered valid and effectual within this colony: Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, that all and singular the provisions of the Proclamation aforesaid, and hereunto annexed, shall, within this colony, have the force and effect of law, and that the registration of marriages in and by the said Proclamation provided shall, for purposes civil or criminal, have the same effect and none other, within this colony, which, under and by virtue of the said Proclamation, it is declared or intended to have within the territories aforesaid.

Proclamation of
May 17, 1848, re-
garding marriages,
to have, within this
colony, the force of
law.

Certificate to be
evidence of any such
marriage, as in
proclamation
mentioned.

Ordinance, when to
commence.

2. And be it enacted, that the certificate in the 15th section of the said Proclamation mentioned shall be good evidence of every such marriage as aforesaid, before all courts and magistrates in this colony.

3. And be it enacted, that this Ordinance shall commence and take effect from and after the promulgation thereof.

SCHEDULE.

PROCLAMATION.

WHEREAS I did, by a Proclamation, bearing date the 3rd of February, 1848, issued by me, in my capacity as Her Majesty's High Commissioner for settling and adjusting the affairs of certain territories adjacent to the colony of the Cape of Good Hope, proclaim, declare, and make known the Sovereignty of her said Majesty over certain territories north of the Great Orange River, in the said Proclamation mentioned and described: And whereas, at various times during the period for which Her Majesty's emigrant subjects have occupied parts or portions of the said territories, many marriages have taken place amongst them, which, owing to the impossibility of obtaining the presence or aid of any minister of the Gospel, and of conforming to divers requirements of law, have not, as it is supposed, been solemnized in such a manner as to render the same valid and effectual: And whereas the said marriages were so irregularly contracted by reason solely of the necessity under which the parties lay, while deprived alike of religious teachers, and of regular and established laws, and arose from no want of due reverence for the Holy Ordinance in question, or for the spiritual sanctions with which, amongst Christians, it is customarily and fitly solemnized: And whereas, taking these things into my consideration, and being desirous to confer upon Her Majesty's said subjects the important advantage of having their children's legitimacy established, and their said marriages legalized for all purposes of law, I have determined to exercise, for that end, the powers and authorities in me vested: Now, therefore, I do, as Her Majesty's High Commissioner as aforesaid, hereby proclaim, declare, and make known, the several following provisions and regulations, touching and concerning the marriages aforesaid; that is to say—

1st. The British resident in the territories aforesaid is hereby authorized and required to frame and preserve a general register of all such marriages as shall, under any of the provisions hereinafter contained, be transmitted or reported to him for registration.

2nd. Such general register shall set forth or show the names and residence of the husband and of the wife; their respective ages and condition in life; the date of the marriage, and any other particulars which the said British resident may be instructed by the High Commissioner to record.

3rd. Every couple (except as hereinafter excepted) united together within the said territories as man and wife, in the presence of witnesses, by any form of words expressive of their mutual and solemn consent to become and be, then and there, and from thenceforth, married people, married together, may have their said marriage registered. But no marriage, or pretended marriage, shall be registered, in which the parties are connected with each other by consanguinity or affinity in such a degree that the Governor of the colony of the Cape could not by law have granted to them, if resident in the said colony, a valid dispensation or authority to marry, and that no valid marriage could, by the laws of the said colony, be therein solemnized between them, if domiciled in the said colony; and if any marriage, or pretended marriage, hereby declared incapable of registration, shall yet be registered, such registration shall have or possess no force or effect. But no ground of objection arising from consanguinity or affinity which could in the said colony have been dispensed with, by the authority of the said Governor, shall prevent registration, or its consequences, as hereinafter declared.

4th. Whenever any two spouses, married as aforesaid, shall together come before the British resident, or any magistrate resident in the said territories, and shall declare the fact of such marriage, the resident or magistrate (as the case may be) shall ascertain, and record in writing, the names of the said spouses, their residence, the date and place of their said marriage, and their respective conditions in life at the time of such marriage, whether they were previously married or not; and such record shall be signed or acknowledged by the said spouses, in presence of the resident or magistrate. When any doubt shall appear to rest upon the fact or date of the alleged marriage, the resident or magistrate may call for the certificate in writing, or the solemn declaration before himself of such credible witness or witnesses as were present at, or cognizant of, the said marriage. But when, and as often as, any such marriage shall have been contracted before, and attested by any person or persons recognised at the time amongst Her Majesty's emigrant subjects as holding a public office or authority, entitling him or them to attest marriage, any such attestation or a copy thereof shall, upon the identity of the married people being ascertained, be conclusive proof of the fact and date of the said marriage.

5th. In case it shall be inconvenient for both spouses to repair to the said resident, or to any magistrate, the latter may ascertain from the husband alone the circumstances aforesaid, and from them prepare the record. But when the husband shall appear alone, he will provide himself with a written certificate or statement, signed by the wife, or acknowledged by her in the presence of two neighbours, who shall witness the same, in which certificate or statement the wife shall set forth the date of the marriage between herself and her husband. And this certificate or statement shall be preserved, together with the record signed by the husband. In case of any doubt as to the fact or date of the marriage, the resident or magistrate shall proceed as before, in order to remove the same.

6th. Should either of the spouses have departed this life, since contracting any such marriage as aforesaid, leaving the other of them still surviving, such survivor may appear before the British resident or any magistrate as aforesaid, and thereupon the record shall be prepared as if both spouses were living and present; except that the signature of the survivor alone shall be sufficient, and that the record shall set forth the death of the deceased. In every such case, moreover, the resident or magistrate shall require clear evidence, whether oral or by certificate or affidavit, as he shall judge necessary, of the fact and date of the marriage, and shall, when it is practicable, ascertain that the relatives or friends of the deceased concur in recognising the said marriage.

7th. Should it happen in any instance in which any such marriage shall have been contracted before, and attested by any such persons in office or authority as are hereinbefore referred to, that either of the spouses shall refuse to join the other of them in obtaining the registration of the said marriage, then the spouse desiring such registration shall be at liberty to appear before the resident or magistrate, who shall, upon proof of such refusal, and production of such attestation as aforesaid, or an authentic copy thereof, and upon such further inquiry or proof, if any, as the said resident or magistrate shall judge necessary, prepare the necessary record, to which the signature of the spouse applying shall be sufficient, and which shall set forth the refusal of the other spouse.

8th. It shall not be any ground for refusing to prepare a record of, or to register any marriage, that both or either of the parties to the same, at the time of contracting the same, were under age.

9th. When, and as often as, any such magistrate as aforesaid shall have prepared any such record as aforesaid, he shall, with all convenient speed, transmit the same, with all other writings or papers connected therewith, to the British resident, who shall register every such marriage; and in all cases in which the necessary records shall be prepared by such resident himself, he shall, from or by means of them, register the marriage therein mentioned.

10th. Every such marriage as aforesaid, when registered by the British resident, shall, from and after such registration, be a marriage as lawful for all objects and purposes as a lawful marriage within the colony of the Cape of Good Hope, and shall for all purposes and objects of a civil nature be deemed and taken to have been a lawful marriage from and after the date of the contracting of the same; but whether the same shall, from the date last mentioned, be deemed and taken to have been a lawful marriage for the purpose of a prosecution for bigamy or polygamy, in case either party shall afterwards, during the life-time of the other party, have contracted another marriage, shall be judged of and determined by the general principles of law, and independently of any of the provisions of this Proclamation.

11th. And whereas some ministers of the Dutch Reformed Church of the Cape colony have heretofore proceeded to the said territories, for the purpose of performing therein, as generally as circumstances would permit, the rites and services of religion: And whereas, certain of the emigrant subjects aforesaid have, from time to time, been married by such ministers, as also by the officiating minister in the Dutch Reformed Church at Pieter Maxitzberg, in the district of Natal: And whereas there is reason to propose that in all cases in which any such minister as aforesaid shall have solemnized any marriage between parties who had previously lived together as man and wife, by virtue of any such irregular marriage as is hereinbefore mentioned, the said minister has recorded as well the fact and date of such previous marriage as the marriage solemnized by himself: And whereas it is fit that full credit be given to all matters so vouched, it is hereby declared and directed that the British resident shall receive all original marriage records made by any such minister, or authentic copies thereof, as evidence of the facts therein contained, and shall from or by means of them register the marriages

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therein mentioned, without requiring the presence of either spouse, or any further proof; and that from and after such registration every such marriage shall be deemed and taken to have been a lawful marriage, to all intents and purposes, from the date of the solemnization thereof by such minister, and to have been for all purposes of a civil nature a lawful marriage, from the date mentioned in the marriage record made by such minister, as that on which the first or previous marriage (if any) was contracted. But if, in any case, the fact or date of such previous marriage shall not appear in or by such marriage record, then the spouses or spouse desiring the registration of such first or previous marriage shall proceed in the same manner as is in that or the like behalf hereinbefore provided; but in every case, the marriage solemnized by such minister shall, after the registration thereof, be deemed to be a lawful marriage, to all intents and purposes, from the date of such solemnization.

12th. And whereas it is necessary to make temporary provision for the contracting of marriages within the territory aforesaid, pending the opening of churches and the settlement of fixed ministers within the same, it is hereby declared and directed that all persons who shall hereafter be married by any minister belonging to the Dutch Reformed Church of the Cape colony, or person commissioned by the same to solemnize marriages within the said territories, shall be deemed and taken to be lawfully married; and such marriage shall be registered by the British resident aforesaid, from or by means of the marriage records of such minister or person, and no publication of banns shall be necessary.

13th. If it shall so happen that any persons desirous to marry shall be unable to obtain the services of a minister, from whom their marriage might receive the solemn and becoming sanctions of religion, such persons may apply to, and come before, the said British resident, or to the nearest magistrate, and each of them shall, in his presence, solemnly declare that they know of no impediment to their marriage, and that they desire him to witness that they take each other respectively to be husband and wife; and thereupon a record of the said marriage shall be prepared, and the same shall be duly registered; and every such marriage shall be deemed to be as valid and effectual, and of the same force and obligation as a lawful marriage solemnized within the Cape colony.

14th. If both or either of the intended spouses be under age, the resident or magistrate (as the case may be) shall, before permitting the marriage (unless in the case of a widow or widower), require proof of the consent of the parents or guardians, unless it shall be made to appear to him that there are none such living, or that they, without sufficient reason, refuse consent, or that, owing to distance or other causes, such consent could not possibly, or without much inconvenience, be obtained. But no marriage, once permitted and recorded, shall be impeached upon the ground that both or either of the spouses, being under age, were or was married without consent of parents or guardians.

15th. A certificate, signed by the British resident, or officer acting as such, stating the registered particulars of any marriage registered by him or in his office, in pursuance of this Proclamation, shall be good evidence of such marriage before all courts and magistrates.

And, lastly, I do hereby proclaim, declare, and make known, that while, in my earnest desire to consult, as much as in me lies, the interests and feelings of all Her Majesty's subjects in the territories aforesaid, and those of their wives and children, I have determined to take all measures necessary for establishing their marriages aforesaid beyond dispute or controversy; nothing in this Proclamation contained is to be construed so as to render invalid any marriage contracted in the said territories, and not registered under this Proclamation, which marriage would otherwise, by law, be regarded as valid; it being my wish and intention not now to decide that any sort or description of marriage is illegal, but to furnish an easy and convenient mode by which certain marriages, now supposed to be illegal, may have their legality placed beyond doubt.

GOD SAVE THE QUEEN!

Given at the Cape of Good Hope, this 27th day of June, 1848.

By command of his Excellency the Governor,

(Signed)

JOHN MONTAGU, Secretary to Government.

By order of the Legislative Council,

(Signed)

WILLIAM HOPE, Clerk of the Legislative Council.

No. 7.

(No. 145.)

No. 7.

Answered Dec. 27,
1848, No. 240, p. 90.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Colesberg, August 10, 1848.

(Received October 26, 1848.)

MY LORD,

I HAVE the honour to report that I reached this yesterday, and that upon my arrival I found that the British resident, Major Warden, had been compelled by the emigrant Boers, under the rebel Pretorius, to relinquish his post at Bloem Fontein. Under the circumstances described in the report of Major Warden, marked No. 1, I am of opinion that this officer has acted with prudence and discretion, and I am now left totally unshackled in the measures which I shall pursue effectually to suppress this rebellion.

Enclosure No. 1.

Enclosure No. 2.

I also enclose, marked No. 2, a second report from Major Warden, with a document drawn up by Pretorius, and signed by his adherents, containing a wicked mis-statement of his and their position. The adherents of this rebel are all men of ruined circumstances, restless and turbulent; while the majority of the people over the Orange River are well-disposed, loyal, and desirous of the Government they indeed sought.

* Page 12.

The troops which I stated in my Despatch to your Lordship of the 26th*

ultimo it was my intention to employ have, in part, arrived at Colesberg, and the remainder will be here in a few days. In the suppression of rebellion too much promptitude cannot be used; but, in carrying troops beyond our immediate frontier, which of itself is distant, care must be taken that they be well provided, and a proper season of the year chosen. As regards the latter, nothing can be more fortunate; for, by the time I am ready, the spring will be fast approaching; the grass will be good for the cattle, and I shall be enabled to move with rapidity. The weather is at present very cold; but, owing to the elevation of this part of the country above the sea, exceedingly healthy.

The well-disposed Boers are collected in camps awaiting my arrival, and the native chiefs are all ready at my beck if I desire their services. On my arrival yesterday, I received a deputation from about 200 Boers on the Caledon River, stating that they were ready to join me so soon as I advanced; but I desire on this occasion neither to employ natives against the Boers, nor the Boers against one another; but, by a display of Her Majesty's exclusive power, to show that it is able at once to enforce obedience to its will without having recourse to any foreign assistance.

This rebel Pretorius is a shrewd fellow; his conduct now, as upon a recent occasion in Natal, aims at moderation and the display of his imaginary grievances; but he is an arch rebel. He it was who excited the Boers, and induced them to "trêk" from Natal when I met them; for the express purpose, as I now learn, of adding to his numbers those whom his machinations rendered dissatisfied. By rather a curious coincidence, I last night received reports from Natal, to the effect that a great number of families, 35, had returned in one party, under a leading man, lately a staunch adherent of Pretorius.

The Proclamations offering such enormous rewards for his apprehension, and that of Jacobs, and the arrival of additional troops in the district of Natal, secure me from any chance of disturbance in that quarter, while they show our power and determination.

I candidly admit that, after the labour I had bestowed on these emigrant Boers, after the rapid progression of my measures for their exclusive benefit, I feel disappointed at an interruption of them; while, upon the whole, I may congratulate myself on the good feeling which prevails among the Dutch population throughout the colony. During my journey to Colesberg I was thrown much among them, and the execration in which they universally hold Pretorius is a proof of their loyalty.

I may be detained beyond the Orange River for a few weeks, in order effectually to settle this district on our borders. I see my way perfectly; and by establishing a military post at Winberg, and re-establishing the one at Bloem Fontien, which was occupied previously to my assumption of the Government, the well-disposed will be protected, rule, good order, the clergyman, and the schoolmaster, will rapidly aid my exertions, and, in a short time, I shall be enabled to withdraw the troops altogether. Distant outposts are invariably attended with inconvenience; these, however, though remote from the seat of Government, are not so from our frontier; and now that our possessions embrace the district of Natal, reference must be always had to it. I will very shortly send your Lordship a rough sketch of the country, which will fully explain to what I allude.

I must strongly draw your Lordship's attention to the fact, that this outbreak has, from what I now ascertain, been long contemplated by Pretorius, and is not the result of my exertions to benefit the emigrants. He desires to establish himself as the chief of a republic, and then drive us from Natal; and his observance of the state of affairs in Europe, and supposition that I was too weak in troops to overpower him, have induced him to seize the present occasion.

I conclude, my Lord, with an assurance that no one can be more adverse to any extension of Her Majesty's possessions in South Africa than myself; but the peculiarity of circumstances and position force upon me a measure which I would not otherwise adopt; and I venture to assert that the result will prove its necessity.

My reports from British Kafraria are in every way satisfactory, and, so soon as this service is completed, the troops drawn from thence will return; and the

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73rd Regiment, as I have already reported to your Lordship was my intention, shall be brought to Cape Town. One wing of this corps is detached to Natal, the other remains in British Kafraria; both being temporary arrangements.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) H. G. SMITH.

Encl. 1 in No. 7.

Enclosure 1 in No. 7.

Touw Fontein, July 24, 1848,
10 o'clock, P.M.

SIR,

ON the 13th instant I wrote to your Excellency, stating that the Boers had assembled in force beyond the Modder River, and had made an unsuccessful attempt to take me prisoner in the neighbourhood of Bloem Fontein. I have the honour, further, to acquaint your Excellency that, on the 17th instant, Mr. Pretorius, at the head of about 400 mounted men, made his appearance in front of Bloem Fontein, having formed his camp within two miles of the village. For the previous three days I had been employed night and day in attempting to make my position defensible; the arrangements for which were not half completed when Mr. Pretorius, escorted by half his force, moved to within a few hundred yards of our position. He thence despatched a messenger with the letter marked No. 1, but, not being able to interpret it, I sent back the bearer, requesting Mr. Pretorius to meet me half way between his force and mine. Mr. Rex having been detained a prisoner in Mr. Pretorius' camp, I insisted, as a preliminary, that he should be sent for, which, after a little delay, was done. Mr. Pretorius, accompanied by his commandants, then came forward and made proposals, as contained in document marked No. 2, which I deemed it unavoidably necessary to accede to. My reasons for acting so contrary to what my feelings as a British officer would have dictated were as follows:—

1st. That my force consisted of only 57 men, including 16 recruits, and 42 others, composed of civilians residing in the village, leaders, drivers, and eight deserters, while the force of the Boers, as reported by Mr. Rex, who had been several days in their camp, amounted to 1000.

2dly. That my camp was encumbered by upwards of 200 women and children from the village and neighbourhood, who had fled to me for protection, and this (as I made distinctly known to Mr. Pretorius) was the chief cause of my acceding to the terms proposed.

3rdly. That no reply had been received from any of the chiefs to whom I had written for aid some days before, with the exception of a few men from Moroka, who informed me that there were three separate rebel camps (in addition to Pretorius' own camp), so disposed as to cut off all communication in support from the several chiefs; there was also a camp low down, on the Modder River, to prevent any succour from Jan Bloem, the Corana chief. This disposition of his forces was intimated to me by Pretorius at the interview, and by information previously received from native spies, I was aware that he was not deceiving me on this subject.

Painful to my feelings as it was to accept terms from, rather than dictate them to, a rebel, and seeing that my position could not be maintained until support arrived from the colony (for I had no hope of any others), I believed that I should much better aid your Excellency by marching out with my men, arms, &c., fresh and fit for service, than by commencing a contest which must have involved the slaughter of women and children, and the result of which against such odds could hardly have been doubtful. I am now on my march to the Orange River, and shall encamp on its left bank, and there await your Excellency's orders.

I have, &c.,

His Excellency Sir H. G. Smith, Bart., G.C.B.,
&c. &c. &c.

(Signed) H. D. WARDEN,
Major, C.M.R.

No. 1.

To MAJOR WARDEN, British Resident.

Bloem Fontein, July 17, 1848.

As we have been true and sworn friends to each other, and that for five years; and whereas Sir H. Smith is obstinate as regards the majority being on our side, I consider it my duty to shed as little blood as possible; I shall therefore give you one hour to consider whether you will give up this country, or whether I am to take it from you by force. Many parts of the country have been purchased by the emigrant farmers from natives, and which natives do not feel at all disposed to come under British rule. I have, for the accomplishment of this object, brought with me into the field only 1000 of the many thousands of my ready and willing people.

(Signed) A. W. PRETORIUS, Comm.-General.

No. 2.

Bloem Fontein, July 17, 1848.

At the conference held this day in front of the village of Bloem Fontein with Mr. Pretorius, Commandant-General of the emigrant farmers, the British Resident and Commandant-General entered into the following engagement, viz. :—

1st. That the troops and inhabitants of Bloem Fontein shall evacuate the village in two days from this date, viz., on the 20th instant, taking with them all movable public and private property of every description, and proceed to Colesberg, five or six waggons (or as many more as may be procurable) being furnished for that purpose by Mr. Pretorius.

2nd. That the British Resident will inform the native tribes of the arrangement entered into between himself and emigrant farmers, with the hope of preventing a collision between them.

3rd. That the Civil Commissioner of Caledon, Mr. O'Reilly, is guaranteed a free exit to the colony, on the same terms as the British Resident.

4th. That Mr. Pretorius will, in the meantime, withdraw his force from the immediate neighbourhood of Bloem Fontein.

5th. That in the event of sufficient transport not being obtainable for the removal of all the property of storekeepers, or others, within the time above specified, Mr. Pretorius will guarantee their being allowed to remove it at their convenience, and without molestation.

6th. That such coloured people as are now at Bloem Fontein, although not soldiers, are at liberty to return to their homes.

(Signed) A. W. PRETORIUS, Commandant-General.

Witnesses,

(Signed)

L. R. BOTHA, Commandant.

P. M. BESTER, Commandant.

(Signed)

H. D. WARDEN,

C. M. Rifles, and British Resident.

Witnesses,

(Signed)

A. J. FRASER, M. B., Ass. Staff Surgeon,

T. J. BIDDULPH, Magistrate.

Enclosure 2 in No. 7.

Encl. 2 in No. 7.

SIR,

Botha's Drift, on the Orange River,
August 2, 1848.

I HAVE the honour to acquaint your Excellency that I crossed the Orange River with my detachment, &c., on the 27th ultimo, and am now encamped on its left bank. I learn that Mr. A. Pretorius and the rebel Boers continue at Bloem Fontein, save about 100 of them, sent off a few days ago to strengthen Mr. Louw Pretorius' command on the Caledon. The object of the farmers there, is said to be to attack Moshesh, who had twice refused to attend the summons of the Commandant-General to meet him at Bloem Fontein. Moshesh, however, is too strongly posted in the mountain to suffer much from the Boers. I addressed a note to Moshesh on the 20th ultimo, desiring him to collect his people and be in readiness to co-operate with the British force about to assemble under your Excellency's immediate command: a like note I sent to Mowko, Sekongela, Gert Taaibush, Carolus Batju, and Jan Bloem; and I have messengers with me to convey your Excellency's order to the chiefs. I passed through Philippolis with a couple of men to see Adam Kok, and found him and his people in great consternation. Adam Kok had two days before been ordered by Pretorius to repair to Bloem Fontein; the Griqua Chief sent back an evasive answer, and he now expects that Pretorius will bring all his force against him. I promised to support the Griquas immediately I received a reinforcement; but your Excellency's commands, through Colonel Somerset, for the troops to repair to Colesberg, and there await your Excellency, will of course prevent my moving from this. In order, however to give the Griquas confidence, I could not avoid telling Adam Kok, in my letter of this morning, that should the Boers threaten Philippolis, I would march to his support. I am in hopes that Pretorius will not be able to bring any numbers against the Griquas, and that he will be fully occupied for a time in watching the movements of Moshesh and the other native tribes.

A great number of farmers from Griqualand have retired to the colony with their property, and many more are on the opposite bank of the river ready to cross over: very few of them, however, will take up arms against their rebel countrymen. I beg to enclose a translation of a document sent to me by Mr. A. Pretorius, and addressed to your Excellency; also a translation of Mr. Pretorius' notice to the farmers. I yesterday received from the Boers residing on the lower Reit River, a paper stating their readiness to assist the British Government in every way, save that of taking arms against their countrymen. I told the party presenting this paper, which was signed by 100 farmers, that your Excellency could not reckon such characters as loyal subjects; and if they valued their lands, I would recommend them to tender more substantial aid to your Excellency. I have the honour to inform your Excellency that three troops of the Cape Corps, with a 6-pounder gun, joined me yesterday.

I have, &c.,

(Signed)

H. D. WARDEN, Major.

Cape Mounted Rifles.

His Excellency Sir H. G. Smith, Bart., G.C.B.,
&c. &c. &c.

July 18, 1848.

July 12, 1848.

NATAL.

To His Excellency the Governor High Commissioner of the Cape of Good Hope,
Sir HARRY SMITH, &c. &c.

RIGHT HONOURABLE SIR,

Bloem Fontein, July 18, 1848.

We all, the undersigned Commandants and Field Cornets of different districts here assembled, hereby acquaint your Excellency that we perceive, in a manifesto, that you threaten us with a war of military power; which appears to us very unjust to constrain us on lands which we have justly bartered from the natives—to them having been allowed self-government and all privileges of liberty; and we whites must be governed by laws which come from another place (or country).

One might ask, are we then worse, are we more contemptible than the coloured population? To them are acknowledged and secured the lands they have inherited;—to them are allowed the privileges of self-government and their own laws; but as soon as we whites are on the same lands, which we have justly obtained from them, these privileges are immediately taken from us, so that we may justly say that we do not even share equally with the coloured tribes; but that now, though all other creatures enjoy rights and liberties, we are constantly constrained to be in fetters.

Your Excellency plainly stated that if the majority objected to British rule, you would leave us unmolested and without further interference. Now, we state to your Excellency, and we state it to the world,—yes, we state it as men with clear hearts and much experience, that we white cattle farmers cannot, with any feeling of security, under Her Majesty's jurisdiction, reside in a country inhabited by so many coloured people, especially as they are left to their own laws, and we are placed under other laws. We repeat again, as well to your Excellency as to the world, that had we perchance been coloured, it might perhaps be possible, but now we find it impossible, because we are white African Boers. We speak not loosely; we speak not in hatred; because we were oppressed by the British authority (of which oppressions we will not even make mention, for these no newspaper could contain, it would certainly comprise a whole volume): but we will briefly make mention of only two instances by way of supporting our complaints.

How many years have not the inhabitants of the old colony (where blacks are) remained in a state of insecurity, and how many irrecoverable losses and hardships have they not suffered under British rule. When we were all youths and children then there was Kafir war; now we are men with gray hairs, and there is still Kafir war; and we ask whether the inhabitants there have recovered their losses sustained through a war caused under British rule, as well in the year 1835, as in 1847 and 1848? This answer we leave to your Excellency, and even to the world. Will that portion of Her Majesty's subjects be enabled to reside in security and contentment? Have the houses that were burnt down been rebuilt? And now do we arrive at the great Mirror of Natal, which perhaps gave birth to the manifesto. How did we obtain possession of that country—unjustly or easily? No; we obtained it justly from a Sovereign power; and subsequently it cost us the blood of dearest wives and children, and we will never refrain from exclaiming it before the great Creator and the world—and where is the country now?—still in possession of the owners?—Have these same proprietors been enabled to reside there in greater security since the British power has taken possession of it?

And now comes the great and weighty question! Did Government take possession of the country upon the majority and at the desire of the proprietors of the said country, or because it was right to do so? Oh, no! Oh, no! The world was then likewise misled, but, nevertheless, far from right; it took place with power alone. But where is the word of right? Can any one call that right which first deprived us of our liberty and country whilst we were living in peace and quietness; and, afterwards, through insecurity, not only our places but also our corn and our sheaves and houses full of property? with tearful eyes are we obliged to look back on our churches, and dearly-bought land.

For when I, Pretorius, returned from my long tour to Graham's Town, where the great Governor would not even allow himself to be seen or even spoken to, were not my countrymen all fleeing? amongst whom was my own family; and was that country (after the taking possession) improved? Where are then the former proprietors of the land? Here they are wandering in the wilderness of South Africa. Your Excellency asks me if we were richer or better? No, we have sacrificed all for the country which the British authority has taken from us, and if you still, after all this, endeavour to take from us our land and places,—yes, even our lives as your manifesto threatens us—which life, we have obtained from a just God, from Him who hath hitherto preserved us; shall we then become better by your Excellency's visiting us at Natal. If you continue to oppress and drive us away, how shall we then be enabled to establish a church and house of God amongst us? Behold! our church standing at Natal as a testimony to the world that we have not so far forsaken God and become so unbridled as we have been represented. Have we better able to use it since the taking possession? No, we were immediately deprived of our good clergyman and afterwards obliged to flee and desert our church which we had built with our own hands in our poverty. Thus your Excellency's question whether we had become better? Who can expect it after all the hardships which we have been obliged to undergo; but we are justified in saying, that after all this, and previous to the taking possession, we enjoyed security. But should you now drive us deeper into the wilderness, will you thereby make us better? As we have undergone so many examples and such experience, who would be so very perverse as to speak of security of life and property and churches and schools in a country of so many coloured tribes under British sovereignty, especially since such inequality is decided upon—that the barbarians may exercise their own, and we whites to be brought under the laws of the Cape. If we may make

so free as to ask, in allusion to that part of the old colony, where the coloured are, whether Her Majesty's subjects residing there are rich and contented, or are they plundered by the coloured or barbarians? And what hope is there for us who now reside on the boundary? Will not the thousands of coloured people in the midst of whom we are living immediately become our enemies, as is well known to the whole world, wherever Her Majesty's authority may be, and in the midst of whom (namely, the coloured people), we have always considered ourselves secure. Oh, these hardships you will never eradicate from the heart of an African Boer neither with promises nor with threats; you will cause a further flight and dissatisfaction, but never a silent submission. And thus we have severely suffered; we have silently left our motherland under all these hardships; for liberty we sacrificed all! We will not say that all the people who are with us have left for liberty; we see every day that fortune hunters and all misleaders who are treacherous towards us likewise constantly remain with us, and cause much strife amongst us; and it is greatly owing to your Excellency's interference that such evade the well-deserved punishment amongst us; so that when we can only obtain the privileges of the coloured people, we will soon convince the world that crime will be punished by us, and that we will then use our best endeavours to introduce churches and schools; yes, even the Holy Sacrament amongst us.

Oh, we could mention a volume of hardships and support them with many testimonies of truth, however, we will pass it all by. But we wish to entreat your Excellency to leave us unmolested and without further interference, on those grounds which we have justly obtained from the legal proprietors, and thus we shall exclaim to the world and our Creator, (who we know looks down upon us from on high, and to Him alone we owe all gratitude and reverence), that we have not yet been totally extirpated.

We have, &c.,

(Signed) A. W. J. PRETORIUS, Comm.-General.

(Signed by about 900 others.)

(Signed) A true translation,
F. REX, Sworn Translator.

GENERAL NOTICE.

Winberg, July 12, 1848.

As the emigrant Boers, who crossed the Orange River for their liberty, have deserted their motherland, and as we perceive that the British Government grant privileges and liberty to all other creatures, and we are constrained in fetters, so this, therefore, is to notify to all and every one who does not wish to take part in this just cause of freedom, that he must, on receipt of this or before the 30th instant, cross the stream of the Orange River, without selling any ground or places, for all sales of places will, after this date, be considered illegal, to prevent the court-martial (Krygsraad) from visiting with further punishment their person and property. No person shall be allowed to keep himself neutral, those who are not with us will be looked upon as enemies; every person who opposes this Maatschappij (association), whether with words or deeds, will be treated as an insurgent, and will forthwith be punished by the court-martial.

(Signed) A. W. J. PRETORIUS, Comm.-General.

(Signed) A true Copy,
P. J. KAMMES, Clerk.

(Signed) A true Translation,
F. REX, Sworn Translator.

(No. 146.)

No: 8.

No. 8.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Answered Dec. 27,
1848, No. 240, p. 90.

Camp, Right Bank of the Orange River,
August 23, 1848.

MY LORD,

(Received October 26, 1848.)

I HAVE the honour to report that the troops, specified in my Despatch to your Lordship of the 26th ultimo,* with the exception of two companies of the 91st Regiment, detained by the swelling of the rivers in Albany, reached this in detachments on the 22nd instant. I immediately proceeded to pass the Orange River, which is now full, 200 yards across, and extremely rapid, by means of the pontoon float which I brought out to the Cape from Chatham; and which, of all the useful inventions ever attached to an army, is the most efficient. There are now across the river four companies of the Cape Corps, three guns, two companies of the Rifle Brigade, and two companies of the 45th Regiment. The two companies of the 91st Regiment will reach this on the 25th instant. I hope to get the train of Commissariat and baggage waggons across in two or three days, by means of a raft which I have constructed with casks; and so soon as I am established, I shall move on at once to Bloem Fontein, where abundant supplies of forage corn and grain are

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* Page 12.

NATAL.

attainable. I take the field well furnished with every requisite; and I hope to accomplish most speedily the object of the service.

The information I have received states, that the rebels are falling back on Winberg; they began to do so the moment the infantry advanced, their outposts flying from the banks of the river, leaving their meat half cooked upon the fires. They have committed such excesses upon the isolated farm houses, that the hostile feeling which previously existed between "patriots" and loyalists has been greatly increased; and the effect produced by my having moved across the river is most apparent throughout Griqua Land, many of the heads of families stating, that, now they are confident of support, they are ready to join my troops and act against the rebels. The distress occasioned by this outbreak to all men of property is very considerable. In one district, that of Caledon, 500 families fled in dismay, the irruption of Pretorius being so sudden that they had not time to gather themselves together for their defence. Their field commandant, "Sueyman," has been with me, and is ready with his party to turn out if I require them; while another field commandant, "Erasmus," is now here with many of his men; and I well know, that as I advance, I shall receive the same support from all men of property. Adam Kok, the Griqua captain, is also in my camp, his conduct and that of his people has been exemplary. Pretorius, when at Philippolis, endeavoured to make a treaty with his councillors, who very cunningly entered into a pacific arrangement, stating, that so soon as their chief ratified it, it would be binding. The men of Waterboer, Adam Kok, and of all the native chiefs, are ready to turn out were I to call upon them. The chief Moshesh has been staunch in his alliance, and most peremptorily refused to see Pretorius, who used every effort to obtain an interview with him. I shall move forward so soon as possible, and the immediate effect of my doing so will be the return to their homes of all the loyal population. If these rebels dare to make a stand, I will give a very good account of them.

I herewith enclose copies of all the communications which I have had with the insurgents. That of the 17th instant, I sent to their camp by a trusty messenger, addressing copies to several of their commandants said to be wavering in their adherence to the rebel cause. On his presenting them a council of war was held to determine whether these commandants should receive them or not, as they were not addressed to their "general;" and the result was, that although the commandants desired to do so, they were prevented by these men, who declared that it was an affront offered to their chief; and the papers were returned to me unopened. This warning is now printed, and shall be generally circulated.

I can only repeat the mortification which I feel at this outbreak. The ruin it entails upon many is distressing, but it is far better that it should have occurred now than hereafter, which the machinations of a few turbulent spirits whom I hope now effectually to crush, rendered certain. Pretorius boasts that, very shortly, he will march to Natal, and clear it of all British rule and authority.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) H. G. SMITH.

Encl. 1 in No. 8.

Enclosure 1 in No. 8.

SIR,

Middel Valley, August 10, 1848.

WE have come to this place to move out of the way three more points of oppression.

1st. It is not alone the majority here in person to make known their wish, but all people, also those of Commandant H. Potgieter; and the Commandant-General Kruger is in person with us, with their people sent by Mr. H. Potgieter on his behalf; and as Commandant H. Potgieter is expected, so that there remains no other feeling but that the Government will leave us here at rest without further interference.

2nd. Is to establish lasting peace and understanding between the natives and the emigrants, so that all parties may be satisfied without one drop of human blood being spilt on our side. We do not know the reason why our Boers are flying so. We hear that the Government will set all the Blacks upon us, to a total extermination: if this is the cause of their flight, the responsibility does not lay with us, for we have prepared ourselves for it if such is to come on us.

3rd. It is this month a year that I have been wrestling against oppression for myself and countrymen; still it matters not if we beseech and pray to Sir Harry, he takes possession of us

by force, and in consequence drives us to the wilderness. And the Boers at Winberg, as the British authorities can testify, were so embittered, and on the point of destroying each other since the arrival of Sir Harry, wherefore they sent for me,—when I thought of living beyond the line of British dominion,—again to fetch me to see what still could be done. Now, I have heard that money is offered for my person, and have received the Proclamation myself; still I am happy to be able to say, that I am now the chief of the whole United Emigrant Force, who have now sworn to be for ever faithful to me and to each other; so that I and others, after all our heavy oppressions and sufferings, must undergo such a lot. We will rather await the merciful settlement of the Great Creator than longer to wrestle under the feet of every petty-coloured people.

We wish to know whether the Governor is here, and if we can see and speak to him, for we are here for no other cause. Awaiting a speedy answer from you,

We have the honour to be, &c.
(Signed) A. W. J. PRETORIUS, Commandant-General.
G. H. KRUGER, Commandant.
A. J. SPIES, Commandant.
L. R. BOTHA, Commandant.
P. M. BESTER, Commandant.
J. A. ENSLIN, Commandant.
J. JACS. JACOBS, Commandant.
JOHANNES KOEKEMOER, Commandant.
ISAAC J. JOUBERT, in the place of Commandant Otto.

Commandant Staander and Commandant Steyne are on patrole.
To Major Warden.

Enclosure 2 in No. 8.

Encl. 2 in No. 8.

ANSWER.

THE Governor is at Colesberg, to protect from insult Her Majesty's loyal emigrant subjects.

Major Warden has forwarded to the Governor a letter from "Middel Valley," signed by several men in open rebellion, who have dared to usurp an authority in opposition to Her Majesty.

The Governor can treat with nor see no rebels in arms; he has neither desire nor intention to fall upon white men with black men, though ready at his beck, but will suppress rebellion by force of Her Majesty's cannon and soldiers; and he will establish that rule all good men desire.

The loyal subjects of Her Majesty are flying from their homes in fear of the rebels,—their own countrymen; many men now in the camp of the rebels are there from fear or force.

Peace shall be established by force of Her Majesty's arms, and the good protected against the evil-disposed.

Colesberg, 10th June, 1848.
To the Rebel Camp.

(Signed) H. G. SMITH, Governor.

Enclosure 3 in No. 8.

Encl. 3 in No. 8.

Middel Valley, August 11, 1848.

To his Excellency Sir H. G. W. SMITH.

UNDER the crying injustice which we have already suffered, we cannot hide our human feelings since we have received the letter from the Governor, wherein he threatens to shoot us all dead, unheard, if it be in his power. Where then, and how, shall we expect justice? When the Governor rode through this country he went so quick that but few of the real owners of the country could see him; and he then said, that, if the majority would not submit, he would leave us alone at rest. Notwithstanding, and contrary to the wish of the majority, he sent public servants, now the whole people are assembled together of their own free will, except only a few whom we could mention by name; and now the Governor says, he will neither see nor speak to us rebels, but will treat us as Pharaoh treated the children of Israel, so that we have no chance with your Excellency but to be destroyed by your cannon and great force, as we have no father or representative. We will await our fate manfully. Does your Excellency suppose you will do no injury to your colony? our own relatives, who, we are certain, will never allow such injustice to be done us.

We are obliged positively to state, because we did not come for war, or to shed human blood, as we have to this time shown to the world, we had Major Warden in our hands, but treated him in such a manner as we can allow the world to judge.

We have also thousands of blacks who are prepared to assist us; but as we came here alone to prove to your Excellency and the world which side the majority was, we are here. We are ourselves apprehensive of a general warlike move, and therefore we consider it our duty once more to request your Excellency to come on this side of the river to speak to us, and every necessary assurance for the safety of your Excellency's person shall be given; but for the crossing of troops we shall be obliged to oppose with our lives.

NATAL

The assembled force, willingly come together, if joined by those coming from Origstadt and the wilderness, are determined on meeting your Excellency.

We have the honour to be,
(Signed) A. W. J. PRETORIUS, Commandant-General.
G. H. KRUGER, Commandant.
P. M. BESTER, Commandant.
J. F. OTTO, Commandant.
L. R. BOTHA, Commandant.
H. STEYNE, Commandant.

Encl. 4 in No. 8.

Enclosure 4 in No. 8.

ANSWER.

Colesberg, August 14, 1848.

THE Governor has received the communication from the rebel camp of the 11th instant.

Yesterday was Sunday,—a day of rest, the letter was therefore not replied to.

The Governor will be in Major Warden's camp on Tuesday, the 15th instant, at 12 o'clock, and if Mynheer Kruger and Paul Bester desire to speak to him a boat will be sent to the opposite bank to bring them over, and the Governor will meet these Mynheers and hear what they have to say.

The Governor knows what all good men who possess property have to say,—they desire the mild and paternal Government given them to rule themselves.

(Signed) H. G. SMITH.

Encl. 5 in No. 8.

Enclosure 5 in No. 8.

Middel Valley, August 14, 1848.

As up to this time we have proved to the world that we have not come to shed human blood, or to lay waste any portion of country by war, so by this notice is given to every one that all inhabitants of the country on this side of the Orange River, who without any cause against us have left their dwellings through false reports, can live on their farms unmolested; which country we maintain to have an earlier claim to than the British authorities, whom we earnestly desire to leave us at rest on the ground which it is our own wish to inhabit with justice, without being further molested. We have also made peace with the Griqua People, and trust again to come to a just and peaceable understanding with all coloured people; and wherever any one disturbs this peace, the responsibility of all the misery from it will be for their account. We wish also to remain in quiet arrangements with the British Government, if he does not use any force to us, either by sending Commissioners or anything else against the will of the majority.

We have sought all opportunity to obtain all communication with Sir Harry Smith, but all letters that we have received his Excellency abuses us for rebels. We wished to have spoken to his Excellency on this side of the river, for we will not go over it.

We have, &c.,
(Signed) A. W. J. PRETORIUS, Commandant-General.
G. H. KRUGER, Commandant.
L. R. BOTHA, Commandant.
P. M. BESTER, Commandant.
J. A. ENSLIN, Commandant.
A. STAANDER, Commandant.
J. F. OTTO, Commandant.
J. KOEKEMOER, Commandant.
H. STEYNE, Commandant.

To this I will loudly reply when my troops are up.

(Signed) H. G. S.

Encl. 6 in No. 8.

Enclosure 6 in No. 8.

(Translation.)

To his Excellency Sir H. G. W. SMITH, Governor of the Cape of Good Hope.

SIR,

Middel Valley, August 16, 1848.

WE consider it absolutely necessary to make known to his Excellency the Governor our uttermost and last desire, particularly as up to this time we have not received any receivable or satisfactory answer from his Excellency.

We therefore still earnestly request, for the last time, that your Excellency will withdraw the Proclamation, which has brought the country on this side the Orange River into such great commotion; for we will never acknowledge the same. For we have sworn to be willingly faithful to each other, because we shall then be in a state to live quietly and at rest on our ground.

If your Excellency will not, we shall be obliged to join our friends over the Orange River, and by that means get relieved from our oppression.

We will not retire from this our boundary before we have a satisfactory answer from your Excellency.

NATAL.

We have, &c.,
 (Signed) A. W. J. PRETORIUS, Commandant-General.
 G. H. KRUGER, Commandant.
 L. R. BOTHA, Commandant.
 J. KUHENDER, Commandant.
 A. STAANDER, Commandant.
 T. J. BESTER, Commandant.
 J. A. ENSLIN, Commandant.
 H. STEYNE, Commandant.
 J. J. JOUBERT, Commandant.
 G. J. JAHER, Commandant.

To which I will reply in person with my body guard.

(Signed) H. G. SMITH.

After yesterday going down to meet two I have done enough.

Enclosure 7 in No. 8.

Encl. 7 in No. 8.

GOVERNMENT NOTICE.

Colonial Office, August 30, 1848.

HIS Excellency the Governor has directed the following notification of his proceeding, and the movements of the troops in the country beyond the Orange River, to be published for general information.

On the 22nd instant nearly all the troops required for the military operations having then reached Colesberg, his Excellency commenced the passage of that river: and had on the 23rd conveyed the greater portion across to the right bank.

His Excellency's passage of the river has been followed by the happiest effects. The loyal portion of the population beyond the Orange River have been inspired with confidence, and have expressed their readiness to join the Queen's troops and act against the rebels. Two of the field-commandants—Snyman and Erasmus—were with his Excellency, and had offered him the assistance and support of their parties, should they be required.

The chief, Adam Kok, was also in his Excellency's camp; and both he and the chiefs, Waterboer and Moshesh, had displayed the most exemplary fidelity to their engagements of alliance with Her Majesty, notwithstanding the attempts of the rebels to undermine their loyalty.

On the other hand his Excellency's proceedings have filled the rebels with consternation and dismay. They have fallen back to Winberg, leaving the passage of the river uncontested. They commenced their backward movement the moment the infantry advanced, their outposts flying from the banks of the river, leaving the meat half-cooked upon the fires; and, although they still boast of their intentions, it appears at present probable that they will not venture to make a stand at all.

His Excellency regrets that the present movement has been attended with serious loss and destruction of property to many of Her Majesty's loyal subjects beyond the Orange River. In the Caledon district 500 families have been forced from their homes, and the excesses committed by the rebel Pretorius upon isolated farms and houses have caused his Excellency severe mortification. His Excellency, however, rejoices that there is now a certain prospect of destroying, once and for ever, the influence of these designing men among Her Majesty's faithful emigrant subjects, and has directed the publication of the following "Warning."

By his Excellency's command,

(Signed) JOHN MONTAGU,
 Secretary to Government.

WARNING TO THE REBEL BOERS.

KNOW all ye assembled in arms under one Pretorius, whom I have proscribed, that ye are British subjects, and that the act of your thus assembling in this reckless manner is illegal, and in opposition to Her Majesty's sovereign will. You are guilty of rebellion.

Remember, before you force me to fire upon you, that I have already given you fair warning in my Manifesto on the 29th March last. I now again warn you to pause, ere you compel me to use the force now assembled at my disposal, and close at hand.

What is it that you seek? To be slaves to black men, and to hold your lands from them, and not from Her Majesty? I went among you last January with a heart full of affectionate feelings towards the Boer. I have done for you all that you asked me to do. Each Boer now holds his land in perpetuity, not on an expiring lease of 40 years, and you have the privilege of almost entirely governing yourselves. I have rendered the districts of Bloem Fontein and Caledon happy—most happy and grateful to me. Ask every man of any property in either of them if this is not the case. Now all possess their lands in security. I have legalized all marriages. I have two ministers coming from Holland, and schoolmasters on the road.

NATAL

Your rebellious conduct has driven many from their homes, with their wives and their children; plunging them into misery in this inclement weather, and destroying their flocks and herds. Is this the good that you seek for your countrymen?

Beyond Winberg there are many violent men who are opposed to rule and government in any shape; but many whom I met in that neighbourhood, although they told me in public, when overawed by the turbulent, that they would rather remain as they were, in private sought me and assured me that they were miserable, and prayed me to send them a magistrate. I was met at Winberg by a large body of loyal men who presented an address to me—the chiefs Moshesh, Malitsanie, Sikonyella, and others, were present. All agreed to what I proposed, for the general benefit and welfare of Bloem Fontein, Caledon, and Winberg, not for mine or the government of the colony. I then prosecuted my journey to Natal, where I met hundreds of families “trekking” in misery in the rainy season, excited to discontent by this Pretorius (who is an inhabitant of the district of Natal, who is now dwelling beyond the limits of our sovereignty, over the Orange River, and has no right to interfere here), who has then and since imposed both upon me and you. I hastened to the seat of government: you all well know that I did everything man could do for the benefit of these unfortunate and misguided people trekking from Natal. Many, very many, I rejoice to say, have appreciated my desire to serve them, and have returned to their homes. Thirty-five families with Hermanus Lombard, besides several smaller parties, have lately done so. To those who have no farms I have given, and will continue to give, 3000 morgen of land on the Klip and Tugela rivers; and I appointed Pretorius to a land commission,—as a member of which he might have rendered the greatest benefit to his countrymen. I gave him my Proclamation of the 3rd February last, to take among you, especially requesting him to explain to Jacobs that I had issued it before the meeting proposed, because he (Pretorius) recommended me to do so,—saying that he would point out to all of you how its contents were calculated for your good. In place of doing this he perverted its meaning,—misled you and deceived me.

He requested me not to extend the sovereignty beyond the Vaal River, and to leave the Mooi River for those who might disapprove of the order of things proposed. I did so. I have always said that unless the majority of the burghers were in favour of the government which I had in friendship framed for them I would not press it. To show that such was not the case, Pretorius and Jacobs got 470 signatures to an address by every imaginable fraud, deceit, and lie. Subsequently Sneyman wrote to Pretorius, to say that he would have nothing to do with him,—that he had deceived him and his people, who had added their names to this list, and who all withdrew them. I receive addresses, numerously signed, from every part of the country except beyond Winberg. Erasmus, the field-commandant, has left Pretorius; and Potgieter declares for quiet. But Pretorius, who loves to excite and render others miserable, aiming at his own ambitious ends, gets together a body of from 700 to 1000 men, not heads of families, but persons for the most part ruined in circumstances,—frightens from their homes all families throughout the land, and talks of war, and blood being shed. If blood be shed, be it on his own ambitious rebel's head! He boasts of his moderation to Major Warden;—if he had shed a drop of blood at that post, he would have added the crime of murder to that of rebellion.

Trusting, in confidence, to the general good feeling, I weakened the detachment of troops at Bloem Fontein, because I desired that you yourselves should govern yourselves, and was anxious not to interfere with you by means of soldiers. Taking advantage of this, Pretorius, with his lawless followers, dares to remove officers placed at Bloem Fontein and the Caledon River,—styling himself commandant-general, and bringing these followers to prove to me that the majority are in favour of no rule. I tell him that his present adherents are either brought from beyond the sovereignty, or are forced by intimidation to join him;—and I tell him, that I know that four-fifths of the people of property are in favour of the liberal government I have established for the benefit of all,—for Christ's church, and for peace.

He talks of bringing down black men and more followers among the Boers. Does he think to impose upon me in this way?

If the men beyond Winberg desired to have their own government, why did they molest those of Caledon River and Bloem Fontein? This insult shall be avenged by force of arms. Then may you trust to me, who have shown myself a true friend to you, to establish the best order of things. But no armed party shall presume to seek what I cannot listen to. Blood shall not cease to flow until peace and tranquillity be established, and rebels driven out of the land;—and when women weep, you, rebels, will be the murderers of their husbands, sons, and brothers.

Choose, therefore, war or peace. The one I will vigorously prosecute; the other I will secure for the benefit of good men and God's church;—and I will establish such military posts as shall not be subject to insult in future.

Pretorius is an outlaw—a proscribed man—and I will never communicate with him; the proclamation offering 2000*l.* for his apprehension remains in full force.

Some of you rebels, I know, have large sums of money in the colony,—beware, if you fire a shot, lest I seize them to assist in defraying the expenses of this outbreak, which you have so treacherously and traitorously brought about, and in re-imbursing, where possible, the good men for the losses they have suffered by your invasion, your threats, and your robberies.

The native chiefs are under the sovereignty of Her Majesty, and can make no treaty that is binding till ratified by Her Majesty's representative. Any treaties, therefore, that they may have been forced into by the rebels are null and void.

As I advance whatever armed party awaits me I shall regard as having fired the first shot,—and the blood be on their heads; thus murder and rebellion become united.

So soon as I reach Winberg I will hear what Mynheer Potgeiter and all peaceable men and loyal subjects have to represent to me for the general benefit.
Colesberg, dated 17th August, 1848.

NATAL.

(Signed) H. G. SMITH, Governor.

By order of his Excellency Her Majesty's High Commissioner,
(Signed) RICHARD SOUTHEY, Secretary.

(No. 147.)

No. 9.

No. 9.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Orange River, August 23, 1848.

(Received October 26, 1848.)

MY LORD,

I HAVE the honour to transmit a copy of the Minutes of the proceedings of the Executive Council at Natal, for the half year ended 30th June last.

I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

H. G. SMITH.

Enclosure 1 in No. 9.

Encl. 1 in No. 9.

EXTRACT from the Minutes of the Executive Council of Natal, for the half year ending
30th June, 1848.

"THE Lieutenant-Governor lays on the table, for the information of the members, Meeting 25.
copies of Despatches* to and from his Excellency the Governor, with their several
enclosures."

(No. 1.)

Enclosure 2 in No. 9.

Encl. 2 in No. 9.

Government House, Pieter Maritzberg,
January 17, 1848.

SIR,

As the last communication which I have been able to transmit by sea is dated the 10th December, and my last, sent overland, the 15th December, and as there is no certainty when an opportunity by sea may be offered, I avail myself of the chance of this Despatch reaching your Excellency through Fakee's country by some return messengers from a missionary station.

In my Despatch No. 38, of the 1st December, I reported that a portion of the force proposed to be stationed at Bushman's River had marched to that place. On the 21st December I received information that some of the Klip River farmers had forcibly carried off four children (three of whom have been since restored) from a native kraal. On this information, I directed the residue of the force, which had been held in readiness, to be advanced to the same place, in the hope that a repetition of such outrages might be thus prevented, as also to endeavour, if possible, to apprehend the offenders.

On the 3rd instant I received a formal communication from Panda, that he had been recently repeatedly urged by the leaders of the Klip River party to join them in an attack upon the district, which information has been subsequently confirmed by the Chief Assegar (now a prisoner here), and who states that Panda had excused himself from sending an army to join the disaffected, by pretending that his army would enter the lower part of the district.

The continued circulation of the most alarming reports having succeeded in inducing the greater part of the few remaining Dutch inhabitants in the upper part of the district to cross the boundary, and the intelligence received from the camp of the disaffected, as well as the lukewarmness of the Dutch here, and their implicit belief in the alleged intention of their countrymen to endeavour to reconquer the district by compelling Panda to assist them, together with renewed attempts to tamper with the fidelity of the natives within our boundary, satisfied me of the expediency of recalling the detachment, which included all our cavalry and field artillery, from Bushman's River; and the troops rejoined head-quarters on the 15th instant.

As the withdrawal of the troops might have an unfavourable effect upon Panda's mind, I have informed him, with reference to his pretended intention of entering the district, that they were withdrawn in order to be ready to move on any point where required; that I believed my proclamation would deter the Boers from attacking him; but warning him, at the same time, of the position in which he would place himself by becoming an enemy to the British Government.

The enclosed proclamations and notices will inform your Excellency of the further measures resorted to by me, with a view to provide for the public safety.

* Two of these Despatches (Nos. 1, Jan. 17, 1848; and 5, Feb. 24, from Lieut.-Governor West to Sir H. Smith), referring to the proceedings of Pretorius and the emigrant farmers, are printed in this Paper.

NATAL.

With my Despatch No. 39, of the 7th December, I forwarded a statement from the Chief Zikali, that some use had been made of the name of Mr. A. W. J. Pretorius, then on the way hither from Graham's Town; a second message from the same chief, on the 24th December, states that Pretorius had called on him on his way, and asked him whether he would take part with the Dutch or with the Government; and a third message, just received, states that Mr. Pretorius (who after a short visit to this place has removed his family from the district, and has been recently followed by his brothers, who, like him, resided close to this place) had sent him a message to declare against the English, on pain of his tribe being destroyed and their children made slaves. The chief added that he had received information that Pretorius had personally proceeded to Panda, in order to secure his assistance. Although this information is not conclusive against Mr. Pretorius, I must point out to your Excellency that he has placed himself in a very suspicious position; that his influence over the Boers as well as over Panda is very considerable, and that he is a person of too much judgment to commit himself with the British Government, unless he sees before him the means of at least a temporary success.

There can be no doubt that the emigrant Boers, if united among themselves, and especially if assisted by the Zulus, have the means of overrunning the district, and of reducing the European inhabitants of this place and at the port to considerable straits, and ultimately, unless relieved by a superior force, of reducing them by famine.

Whether the attempt will be actually made, I am as yet unable to determine, but there seems to be no doubt on the subject in the minds of the inhabitants, and that the emigrants are collecting in considerable numbers on the frontier, and have identified themselves with the cause of A. Spies and others, who have avowed this intention, is certain.

Should your Excellency, under these circumstances, see cause to direct reinforcements of the garrison here, I would only beg to suggest that an important effect might be produced by the advance of a sufficient force upon the Drakenberg *via* Colesberg, and by effectually securing the port, and especially the point at Natal, by sending troops thither by sea.

His Excellency the Right Hon. the Governor,
Cape of Good Hope.

I have, &c.,

(Signed)

M. WEST.

Enclosure 1 in Lieut.-Governor WEST's Despatch No. 1, of January 17, 1848.

PROCLAMATION

By his Honour MARTIN WEST, Esq., Lieut.-Governor, administering the Government of the District of Natal.

WHEREAS a message was received by me on the 3rd day of this month, from the Zoolah king Panda, communicating to me the particulars, supported by the oral evidence of witnesses, of sundry applications which had been recently made to him, by or on the part of certain of the late inhabitants of the Klip River division in this district, to assist them and others of Her Majesty's emigrant subjects in a proposed attack upon this district, and stating that upon his positively refusing to assist in any such attack, or to commit any act contrary to his engagements with the British Government, these persons had used certain expressions from which he was led to infer that some act of hostility was contemplated against him, and that after his said refusal, these persons had endeavoured to excite disaffection among a portion of his people, in order to induce them to take part in their said hostile proceedings.

And whereas the said Zoolah king has, in reporting these proceedings to me, claimed the interposition of the British Government against any such hostile attempts on the part of any of Her Majesty's subjects:

And whereas the said Zoolah king Panda is entitled to demand from me the interposition which he has claimed against the aggressions of any British subjects:

Now, therefore, I do hereby warn all British subjects, whether residing in this district or beyond the boundaries of the same, against the consequences of injuring, or in any way molesting the said Zoolah king Panda or any of his subjects; and I hereby declare that any of Her Majesty's subjects who may lend any assistance or support, to the endeavours of these persons to disturb the peace of the territories of the said Zoolah king Panda, will thereby render themselves equally guilty with the chief instigators of such proceedings, and will, like them, be held to have placed themselves in an attitude of resistance to Her Majesty's authority.

GOD SAVE THE QUEEN!

Given under my hand and the Public Seal of the District, this 4th day of January, 1848..

(L.S.)

(Signed)

M. WEST.

By command of his Honour the Lieutenant-Governor,

(Signed)

D. MOODIE,

Secretary to Government

Enclosure 2 in Lieut.-Governor WEST's Despatch No. 1, of January 17, 1848.

NATAL.

THE Lieutenant-Governor directs the publication of the following documents.

By command of his Honour the Lieutenant-Governor,
(Signed) D. MOODIE,
Secretary to Government.

Colonial Office, Natal, January 4, 1848.

SIR,

Doornkop, December 23, 1847.

As we feel ourselves compelled to inform your Honour, that we cannot conceal from your Honour, our request, if it be possible, to withdraw the proclamation published by your Honour at the Klip River; because we hold ourselves too unsafe in case your Honour does not do so. We also think that if your Honour withdraws the proclamation, the greater part of the Klip River people will return, and a great portion from beyond the Drakensberg, who were already prepared to come in, who are however by this circumstance again kept back.

And in case your Honour does not withdraw the same, your Honour will see a great portion from this side the Tugela, also compelled to leave the country.

Your Honour is also certain, as well as all of us, that it was our breast-work, as well as for the whole district.

Believe us that it is of great importance for our country and people. Herewith we will conclude, remaining in favourable expectations and a speedy reply,

Your Honour's obedient servants,
(Signed) JAN DU PLESSIS,
F. FERREIRA,
and 44 others.

To his Honour Martin West, Lieutenant-Governor.

GENTLEMEN,

Colonial Office, Natal, January 4, 1848.

I AM directed by the Lieutenant-Governor to acknowledge the receipt, on the 1st instant, of your letter to him, dated Doornkop, 23rd December, 1847, in which you request his Honour, if possible, to withdraw the Proclamation relative to Klip River, alleging that, if this is not done, you will consider yourselves too unsafe, and that many of the inhabitants who live on this side of the Tugela will also be compelled to leave the country, and conveying your opinion that, if your request is acceded to, and the Proclamation withdrawn, the greater part of the Klip River people will return, as well as others from beyond the Drakensberg, who were preparing to return but have been deterred.

I am directed to inform you that the Lieutenant-Governor entirely agrees with you in deeming the occupation of the Klip River division an object of great importance to the welfare and general security of this district, and that the advance of a strong military force to your neighbourhood, as well as the Government notices of the 16th and 30th ultimo, announcing the measures by which it is proposed to occupy and secure that portion of the district, will he trusts satisfy you that he deeply sympathises with the situation of the well-disposed inhabitants, since the recent abandonment of the Klip River country, and the mischievous alarms which have been circulated with the avowed purpose of inducing them to quit their farms and abandon the district; and I am further to inform you, that the Lieutenant-Governor will be prepared to give favourable consideration to any reasonable proposition that may be made to him for affording confidence and a sense of security to the inhabitants, and thus removing any supposed necessity for their abandoning the district.

I am now to explain to you, that the Proclamation to which it is presumed that you allude, offered to certain British subjects who had endeavoured to procure the aid of a foreign power in establishing themselves within British territory in opposition to Her Majesty's authority, a full pardon for their offences, upon the necessary and reasonable condition of their recognizing Her Majesty's authority, by taking the oath of allegiance.

This offer, as you are well aware, was met by a rejection of the condition, by a new application to the same foreign power for support and assistance, by abandonment of the district, and by the circulation of reports that the same parties who had desired pardon for their former offences had succeeded in their attempts to induce this foreign power to invade the district, and that they had actually made this attempt is further confirmed by a message just received from the Zulu chief Panda, in which he states that he has positively and repeatedly refused to comply with the urgent requests of these persons that he should invade the district, and that he will continue faithful to his engagements with the British Government.

Were it within the power of the Lieutenant-Governor to recall these acts of certain of the late inhabitants of Klip River, whom he has been for many months vainly endeavouring to awaken to a just sense of their duties and interests, as well as to those of their fellow colonists, most gladly would he avail himself of that power, but he trusts that it will, upon consideration, be obvious to you, that to recal the Proclamation in which forgiveness was offered for some of those acts could have no useful effect under the circumstances, as the conduct of such of the parties as have not complied with the condition of the Proclamation has already nullified it, and given to it the same effect as if it were withdrawn.

To recal, on the other hand, the condition of that Proclamation, and to invite persons to return to the district who have refused to take the oath of allegiance to Her Majesty, and who have followed up their refusal by such acts as have been stated, is a course which his Honour cannot believe would be proposed to him by any one who had duly reflected upon the consequences of such a proceeding.

F

NATAL.

The Lieutenant-Governor would therefore desire to direct the attention of all who are interested in the welfare of the district, to the necessity of rallying round their lawful Government, in order to give full efficiency to such means of restoring the confidence of the inhabitants as may still be available to his Honour, consistently with his public duty.

I have, &c.,

(Signed) D. MOODIE, Secretary to Government.

Messrs. Jan du Plessis, F. Ferreira,
and 44 others.

Enclosure 3 in Lieut.-Governor WEST's Despatch, No. 1, of January 17, 1848.

PROCLAMATION

By his Honour MARTIN WEST, Esq., Lieut.-Governor, administering the Government of the District of Natal.

WHEREAS divers aggressions have been recently committed by British subjects against natives peaceably residing within this district, and whereas it has been reported to me, upon credible information, that sundry ill-disposed British subjects have for some time past been endeavouring to incite others to assist them in a general attack upon the said natives, for the purpose of effecting their total expulsion or destruction:

And whereas the said natives are by their residence within the British territory, as well as by their general fidelity to the Government, and their peaceable demeanor towards the other inhabitants, especially entitled to all the protection that can be afforded to them:

Now, therefore, I do hereby proclaim and make known that all British subjects who may proceed to any actual attack upon the said natives will be regarded and treated as rebels.

And I do further declare and make known, that though I am fully aware of the possible consequences of arming the said natives for their own defence, and though it will be with the utmost reluctance that I shall yield to the necessity, should that necessity unfortunately arise, of directing the hostility of the natives against any portion of the white inhabitants, I shall, notwithstanding, not hesitate, upon the first certain intelligence that any actual attack has been made upon the said natives, to put into their hands such a supply of fire-arms and ammunition as, with such assistance, and under such directions as it may be practicable to give them, will, I trust, enable them to repel all such attacks.

And I do hereby further declare, that in the event of its becoming necessary so to arm the said natives, I shall use my utmost endeavours to confine their operations to self-defence, and to the pursuit and punishment of the actual aggressors, but that, as I am well aware that it will not be possible, in all cases, to check the animosity which such attacks may create, or to limit the vengeance of the natives to its legitimate objects, I do hereby warn all peaceably-disposed persons, whether within or beyond the boundaries of this district, to separate themselves as widely as possible from the encampments of such persons as may, notwithstanding this Proclamation, continue assembled for the purpose of making any attack upon the natives, or otherwise disturbing the peace of this district.

And I do hereby further warn all other persons, assembled together merely for mutual protection, and not for any unlawful purpose, and whether within or beyond the boundaries of this district, to inform me without delay of the precise situation of every such encampment, and of the numbers and names of the persons so assembled, in order that I may, as far as possible, cause the natives to be instructed to discriminate between such peaceably-disposed persons and the actual aggressors.

GOD SAVE THE QUEEN!

Given under my hand and the public seal of the district, at Pieter Maritzberg, this 13th day of January, 1848.

(L. S.) (Signed) M. WEST.

By command of his Honour the Lieutenant-Governor,
(Signed) D. MOODIE, Secretary to Government.

Enclosure 4 in Lieut.-Governor WEST's Despatch, No. 1, of January 17, 1848.

GOVERNMENT NOTICE.

AT the request of the inhabitants who have expressed their willingness and desire to co-operate with the Government in the defence of their families and property, in the event of any attack upon this place, his Honour the Lieutenant-Governor has been pleased to sanction and direct the following measures:—

1. The resident magistrate, as chief commandant, with the assistance of the commandants, will organize a burgher force, to aid in the defence of this town.
2. The resident magistrate will recommend to the Lieutenant-Governor, for the appointment of commandants, such persons as may be elected by the burghers when enrolled.
3. The commandants so appointed will consult with the resident magistrate as to the spots to be selected for concentration, and other matters connected with the defence of the town.
4. The resident magistrate will report to the Lieutenant-Governor upon such place or places as, in the opinion of the commandants, are most suitable for securing the cattle of the inhabitants.
5. The resident magistrate will report to the Lieutenant-Governor the names of such persons

as may not enrol themselves for the defence of the town, and he will not permit any assemblages of persons who have not duly enrolled themselves.

NATAL.

By command of his Honour the Lieutenant-Governor,

(Signed)

D. MOODIE, Secretary to Government.

Colonial Office, Natal, January 14, 1848.

NOTICE.

ALL persons residing in, and in the vicinity of this town, are required to enrol themselves at this office in the burgher force now organizing for the protection of the town. The names of such persons as may not so enrol themselves will be submitted to Government.

(Signed)

WALTER HARDING,

Resident Magistrate, Chief Commandant.

Resident Magistrate's Office,

Pieter Maritzberg, January 14, 1848.

(No. 5.)

Enclosure 3 in No. 11.

Encl. 3 in No. 9.

Government House, Pieter Maritzburg,
February 24, 1848.

SIR,

IN order to continue the history of events since my Despatch of the 7th December, No. 39, I beg to enclose two messages sent by the chief Zikali to the officers in command of the party lately stationed at Bushman's River, two messages sent to the Diplomatic Agent (one from Zikali, and the other from the chief Nodada), a letter addressed to me by Mr. A. W. J. Pretorius, and a letter addressed by Mr. D. C. Toohey to the Secretary to Government, relative to the intercourse between some of the emigrant Boers with Panda, as well as with natives residing in the district.

I also enclose three declarations,* obtained by the Crown Prosecutor and Diplomatic Agent, relative to recent aggressions of the most serious character, alleged to have been committed upon native tribes by some of the emigrant farmers beyond the boundary. * Pages 39, 40, 41.

As a Despatch forwarded overland in duplicate on the 17th January (No. 1*) may have miscarried, I now transmit a triplicate, as also of the enclosures referred to in that Despatch, being—1st. My Proclamation of the 4th January, consequent upon the threats of the emigrant Boers to attack Panda unless he would attack this district. 2nd. A Government Notice of the same date, publishing a correspondence explanatory of my reasons for declining to withdraw my Proclamation of the 25th October. 3rd. A Government Notice of the 30th December, announcing the measures recommended by my Executive Council, though contrary to my own opinion, for the occupation of the Klip River country; and 4th. My Proclamation of the 13th January, intimating my intention to arm the natives in their own defence, should that measure be found necessary. * See pages 31, 32, 33.

I feel it due to myself to forward these documents, in order to continue the history of events, and that the grounds of the course of policy pursued by me up to the date of your Excellency's arrival in the district may be sufficiently understood.

I have, &c.

His Excellency the Administrator of the Government,
Cape of Good Hope.

(Signed) M. WEST.

Enclosure 1 in Lieut.-Governor WEST's Despatch, No. 5, of February 24, 1848.

STATEMENT made by USIKALI to Capt. F. CAMPBELL, C.M.K., through his messengers, named Umhayane and Manzene, on the 24th December, 1847, at Camp, Bushman's River, for the information of his Honour the Lieutenant-Governor of Natal.

ANDRIES PRETORIUS, the Boer commandant, called at my kraal on or about the 17th of the present month, and asked me if I wanted to stay on the ground I now occupy. He then told me the Zoolus were coming into the colony. I then asked what the Zoolus would come to me for, as I had no cattle.

Pretorius then said that Panda was sending for deserters from his tribe and cattle.

A. Pretorius then asked why I did not drive the missionary out of my country. My answer was, because the ground belongs to the English Government, and the missionary is sent by them.

Pretorius then asked Umsikali on which side he intended to stand, whether on the English or Boer side. I said I have nothing to do with either Dutch or Zoolu.

NATAL.

Enclosure 2 in Lieut.-Governor West's Despatch, No. 5, February 24, 1848.

STATEMENT of SAKALI's messenger, made to Major COOPER, at Bushman's River, 11th January, 1848, interpreted by G. Rudolph.

THE undersigned, Paswau and Amswendili, messengers from Osekali, state that A. W. J. Pretorius has caused him to be asked for whom he is for, the Boers or the English, and that if for the English, he must change, or he will destroy him and his people, and make slaves of their children, for there will soon be much bloodshed here. We have also heard from the Kafir Tynelaan, from the river Omlambelu, over the Tugela, that A. Pretorius has gone to Panda to ask him in what relations he now stands to the Boers, for he must know that they placed him upon the throne, and therefore he also must be faithful to them in this war against the English Government.

(Signed) PASWAU, ^{their} X
 AMSWENDE, ^{marks.} X

Enclosure 3 in Lieut.-Governor West's Despatch, No. 5, of February 24, 1848.

STATEMENT on oath made before THEOPHILUS SHEPSTONE, Esq., Justice of the Peace, and Diplomatic Agent for the District of Natal, by MACNIGWANE, brother to the chief Zikali, residing in this district.

ABOUT three months back I was at home, and saw what I thought was a waggon going in the direction of my garden. I ran to meet it for the purpose of showing the driver the proper waggon-road, and to prevent it from going through my garden. When I got to it I found it was Andries Pretorius' cart, drawn by four white oxen. Pretorius asked me the news. I replied I did not know the news. He replied, "I find all my people removing; how is it you do not know the news?" I said I did not know it. He then asked me where Zikali was. I told him I did not know, as I came from my own kraal. I then left him, and went and told Zikali who it was, and what had passed. Zikali said, "The Diplomatic Agent has given me instructions to use every means to gain information; this is a good opportunity of obtaining it, I will go and meet him." He did so. Zikali saluted Pretorius, who returned it, and said, "Do you still know me?" Pretorius asked Zikali the same questions he had put to me, and received the same answers. He used the term "my people," in allusion to the Boers, to Zikali also. He then said, "As Panda is coming to take all his cattle away this year, what do you intend to do?" Zikali replied he had no cattle that belonged to Panda; he lived upon his mealies and corn. Pretorius said, "You know the English get into their holes when they see an enemy," Zikali replied, "I have never fought with them, so do not know." Pretorius said, "But what will you do when we fight with them?" Zikali replied, "I do not understand fighting with white men; I shall stay where I am." Pretorius said he must declare on which side he would be, whether on that of the English or the Boers. Zikali evaded this question. Pretorius then said, "Who gave you this country?" Zikali replied, "The chief did." Pretorius said, "What chief?" Zikali replied, "You know as well as I do." Pretorius made no reply to this, but said, "I have been away three months. I have seen the principal Boers over the mountains, and they are coming down to fight the English." Zikali made no remark to this. Pretorius then asked what house that was, pointing to a chapel Zikali's people were building, for Mr. Posselt to hold service in. Zikali told him what it was. He replied, "Why do you not drive them away?" Zikali said he was his teacher, and a white man; he did not know how to drive away a white man; he was also given him by the chief. Pretorius might drive him away, but he, Zikali, dare not. Pretorius made no reply to this, but asked Zikali for men to assist him to drive his cattle from the Bushman's River over the Draakensberg, as he intended to remove his family and all he had immediately. Zikali said he had no people to spare for that purpose. Pretorius pressed him for men, but Zikali excused himself, and returned home, leaving Pretorius to go on his way. This occurred when Pretorius was returning from over the mountains, and before he had removed his family and cattle across the Tugela, where he is now.

A Hottentot interpreted for me, but when Zikali spoke to Pretorius, a young Boer who spoke Kafir interpreted. I was present, and heard the conversation with Zikali.

(Signed) MACNIGWANE, ^{his} X
^{mark.}

Before me, at Pieter Maritzberg, January 28, 1848.

(Signed) J. SHEPSTONE, J. P.,
 Diplomatic Agent.

Enclosure 4 in Lieut.-Governor West's Despatch, No. 5, of February 24, 1848.

STATEMENT of JUPANA, messenger from ZIKALI, to the Diplomatic Agent, January 28, 1848.

I AM sent by Zikali, to accompany his brother Macnigwane, to represent the circumstances in which he is placed. He had made every arrangement to send his women and

children, and cattle, out of that part of the country, and was prepared to take advantage of the return of the Diplomatic Agent's messenger for this purpose, when the evening before a message arrived from Pretorius by Ishotsha, one of Zikali's own men in the service of a Boer, named Hans. The Tugela was very full. Pretorius is on the other side of the river, and Hans on this. Pretorius called across the river to Hans, to tell him to send a message to Zikali to tell him to declare himself immediately, and that if they dared to remove to go nearer Pieter Maritzberg; the valleys through which he might attempt to pass should stream with blood, as all communication was now closed. This prevented Zikali from coming away with his families and property as he intended. Zikali does not fear for himself, if he could but place his wives, children, and cattle in a safe place, he would occupy his country with his men. On our way down to this we are obliged to use all sorts of deception to come through. We passed seven waggons of Pretorius's brothers. Umhlaba one of our number, Zikali's nephew, went to the waggons. One of the Pretorius's asked him where he was going to; he told him he was going to another Kafir kraal to fetch his wife and cattle; he told him not to go, as all communication was stopped. Umhlaba thanked him for the information, and said he should benefit by it; the Boer then said, Zikali must not dare to send messengers to Pieter Maritzberg, even one, two, or three would be found out.

(Signed) ^{his} JUPANA X
mark.

In my presence,
(Signed) T. SHEPSTONE, J.P., Diplomatic Agent.

Enclosure 5 in Lieut.-Governor WEST's Despatch, No. 5, of February 24, 1848.

STATEMENT of UMBOKIRANA, messenger sent by the Chief NODADA, of this District, to the Diplomatic Agent, January 19, 1848.

I AM sent by my chief, Nodada, to report the following circumstances. Eight days back Galonkulu (A. W. Pretorius) passed the place of Andries Spies from Panda to the Plaatsberg; he had with him Girt Nickirk, and Stuurman as interpreter. He there met a Kafir formerly of Job's tribe, but latterly in the service of the Klip River Boers, and now residing on one of their forsaken farms—this man's name is Umfetu. Pretorius told him to go to Nodada, and desire him to prepare his place of refuge with the English; that he must dig a hole large enough to put himself, his wives, and children in. Umfetu asked whether it was really Pretorius who was speaking. Stuurman, the interpreter, opened his (Pretorius's) hand and said, "Do you not see the wound he received from the Hlambehlu Zulu regiment?" Umfetu said, "Am I to say I am sent by Galonkulu (Pretorius)?" Stuurman said, "Yes, he is known by his wound."

This was all the message or information Umfetu received and brought. Hans De Lange returned before Pretorius to the Plaatsberg; this is all the message I am charged with from Nodada.

The reports current in our part of the country relative to Hans de Lange are, that he went to Panda's kraal and slept there two nights; that he then got permission to go and fetch his establishment that was in the Zulu country, and take it away with him; he was, however, desired to return by way of Panda's kraal. In the mean time he received a private warning from some person that he had better not go again to Panda, as it was intended to kill him, because Panda said he always deceived him. In consequence of this warning, Hans De Lange got away as soon as he could out of the Zulu country, without again going to Panda.

It is also said that his house on the Klip River is being prepared for him to come and re-occupy it. These are, however, reports that I cannot vouch for.

Delivered to me,
(Signed) T. SHEPSTONE, Diplomatic Agent.

Enclosure 6 in Lieut.-Governor WEST's Despatch, No. 5, of February 24, 1848.

(Copy of Translation.)

SIR,

Dongela, January 26, 1848.

I HAVE vainly, during almost two years, by words as well as by letters, tried to dissuade you from the irrevocable evil which now threatens this land; when I saw that you gave no hearing, and that the evil was unavoidable, I have not spared my body for a long journey, leaving my family behind unprotected, in order to get better redress, but alas! alas! here we are oppressed and hunted away.

Sir Henry Pottinger would neither see nor hear us, I came back again with an equally oppressed mind; but when I was still 50 or 60 hours on horseback from my relations, I received a report from my family that they were all flying. When I came nearer the village where my children were busy harvesting, I found there was a great body of Kafirs assembled together, who were to remain in readiness to afford quick assistance. When I heard of this and considered it; when I look back at the treaty of which there is now so much spoken, that we were to be protected by savage murderers, by furious Kafirs, whom we evidently see, and who were our enemies; are we then to be protected by them, who have driven us from our

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valuable dwellings, and oppressed and hunted us; if this is to be the gracious protection which was promised to us, no, rather the wilderness of South Africa.

Sir, I cannot describe to your Honour, or to the world, all the miseries and privations in which you plunge us.

I am only so free as to send to your Honour these couple of lines, to inform you that my farms and properties, upon which you will not or cannot protect me, and for which I have sacrificed property and blood for myself or for my posterity, will remain lying without further expense, or until better days shall come for us poor African farmers than the present, which are much too hard or too gloomy for us; but we can now wash our hands freely, for what can we do more.

I have, &c.,
(Signed) A. W. J. PRETORIUS.

To his Honour the Lieut.-Governor, M. West.

Enclosure 7 in Lieut.-Governor West's Despatch, No. 5, of February 24, 1848.

DEAR SIR,

Inyatikazi, February 2, 1848.

I BEG to inform you, for the information of his Honour the Lieut.-Governor, that I arrived on the banks east of the Tugela, on Friday, the 21st ultimo, and found the river full; but after being kept until the 30th, I then succeeded in crossing by the mouth, all the drifts being impassable, and even at the mouth the passage being difficult and dangerous in the extreme. I arrived at Mahleki's kraals on the 1st January, 1848, when I heard that J. de Lange, and his man, Umkonto, were at Schleppen, endeavouring to negotiate for the farmers. I proceeded forward, and on the 6th day of January, early P.M., I arrived at Schleppen, when I immediately had an audience of Panda, in the presence of some of his principal chieftains.

Panda thanked me before his induonas (councillors), for having sent to him the message you wrote of. He said it had saved him from an egregious mistake, and had prevented him from coming in collision with the English, for he was preparing his "amabootoo" (soldiers) to send to the Umzinyati.

He complained that the farmers were sending continually, urging him to invade Natal; but he says that he "konzas" (acknowledges fealty) to Chaka's house,—the Amazwazi "konza" to the Boers!

He, Panda, is Englishman's friend, and they are his friends. He will never do anything against the English, but always will be their allies.

Panda then thanked me for keeping his messengers, who were detained by the Tugela, and said he had sent for me to consult, and also to give me his thanks for what I had done for his messengers when at the Tugela, and saying, "there were his thanks," pointing to 13 elephants' tusks, withall 250 lbs.; for which I thanked him, and presented him with three pieces of red baize, costing, in all, 30/.

Panda then introduced me to Malamboola, Sapoosa's son, (the one who has separated himself from Muswazi, and now acknowledges fealty to Panda.) Panda states that he has returned to him and his people all the cattle taken from the Amazwazi. On the 7th, at mid-day, I had another interview with Panda, when he desired me to tell his Honour that his heart was white towards the English; also that Pretorius and two people are now close by and coming to see him, therefore that I was to proceed upon my path, and sleep at the "mus-sango" (gate) of Schleppen, Maku's, close by; to which place he would send to tell me, for the information of his Honour, all that Pretorius might have to say, and he begged me to write it down, and forward it to his Honour, and to assure him of his continued constancy towards the English.

He then, and all his chiefs, enjoined my speedy return for Natal. They say my presence is of the greatest use, keeping away all thoughts of danger from the people, and all fear of the farmers. I promised to return as soon as possible, and then took my leave, and went with my waggon to "Maku's," about 400 yards from the kraal of Schleppen, where I waited the result of Panda's interview with Pretorius. He arrived at Schleppen soon after I left, and had an interview with Panda early on the 8th instant. I heard one of the people with Pretorius was Umkonto. I therefore inquired among my people for one who was unknown to Umkonto, and found one, a very keen man, for my purpose, and I sent him to sit amongst the king's servants and chiefs at the audience, that he might hear what passed. The interpreter was Tander, and not Umkonto, and he happened to know my man well of old time in the Zoolah country, and did not know him as a "Natalaist;" therefore he was entirely unreserved to him in his communications, which confirmed the following message ex Tamboosa, at 3 P.M. Panda requests me to write down and forward to his Honour the following; viz., That Pretorius and one other farmer, and Tander as interpreter, had arrived. Pretorius said he was killed; the farmers were all killed by Englishmen. Panda was too late! Englishmen had sent an army to Unyoyes (Amanzinyati). [Mr. T. must mean Bushman's River.]

Pretorius then asked, or complained rather, that Panda had given the Boers farms or places o: s: (other side) Buffalo river to the English, after having sold or granted it to the farmers. Pretorius then demanded an explicit answer from Panda to the following query:— "Did Panda consider himself under the English, or in alliance with the farmers?" as by his Panda's answer, the farmers would guide themselves. Panda answered, that he acknowledged fealty, as Chaka did, to the English, and how could he grant land to the farmers, which he had granted long before, through Mr. Cloete, to the English.

Pretorius then took his leave in anger, and immediately left Schleppen, but first tried to

find out whose waggon it was which was outspanned by Maku's. About one week after, two other farmers arrived at Schleppen upon the same errand as Pretorius, and fared the same. My information is from a man who was working at the king's house during the interview.

The substance of the information obtained by my man from Tander, the interpreter of Pretorius is, that the Origstad farmers have taken the Swazies under their protection; that the farmers are determined to drive Englishmen into the sea, (his house), and if Panda joins the Boers, the Swazies and the Zoolahs will have no trouble in doing so, being much too strong for the Englishmen, but if Panda will not join the Boers, then they and the Swazies will invade Panda, and retake all the Swazies' cattle, and also punish him.

Throughout the Zoolah country I have heard the above confirmed; also, that two farmers, accompanied by one of the Swazies, have been spying the paths, looking out where fit for horses, and where waggons can ride between the Swazies' country and Panda's principal kraals. The Zoolahs, and especially the Fetwas, are lying upon their assegais, anxiously watching the course of events. All the principal cattle are sent seaward, with the intention (should an attack be made) of trekking to Natal with their wives and children, whilst the warriors will stand a brush with the Boers and Swazies, and if successful, recal the people and property; if not, they will also fall back upon us. Such is the substance of the information which I have been enabled to collect, and his Honour may rest assured, that amongst the Zoolahs, and especially the Fetwas and all the small tribes, there is but one feeling—that of wishing and hoping for alliance and friendship with the English. They would “konza” under the Government if they could, and they have a detestation of the farmers. They say Englishmen pays for everything. Boers take their children and food away, and abuse them besides.

Should Panda himself wish to join the farmers, and his wish transpire, it would be the signal for a general rebellion, and for Panda's death; and Panda himself is aware that it would be so.

Should his Honour wish to see me at Pieter Maritzberg, I will attend, if not, I will purchase a few trading goods, and return to watch events.

The Honourable the Secretary to Government,
Natal.

I have, &c.,
(Signed) D. TOOHEY.

P.S.—I have just received a message sent after me, and delivered to my principal man, who came the footpath, that Panda wishes me to inform his Honour, that Pretorius went away in anger; also, to tell of the arrival of two other farmers, and that they left Panda, threatening him; Panda also requests me to let him know what his Honour says he must do.

Enclosure 8 in Lieut.-General WEST's Despatch, No. 5, of February 24, 1848.

BEFORE T. SHEPSTONE, Esq., Justice of the Peace for the district of Natal, appeared MABALENI, a Bechuana of the tribe of the Amantebele, under the chief Maboko, residing in the neighbourhood of Origstad, who being duly sworn, deposes—

I WAS eight months in the service of a Boer, named Hans, belonging to the party of Hendrick Potgieter. I accompanied the expedition, headed by Potgieter, against Umsilikasi. I led my master's waggon. It occupied three months. At Origstad there are two parties; one headed by a Boer, named Hans, (not my master); the other by Hendrick Potgieter. They are at enmity one with the other, and wear different coloured clothes. They never walk about Origstad without their guns on their shoulders, so great is their enmity. They meet in separate houses, and are, in every respect, distinct. Potgieter's followers are very numerous; those of Hans form a much smaller number; they are, however, brave men, and have a cannon which belongs to Gert Rudolph, who adheres to Hans. This also gives them the superiority, for the others fear the cannon. Hans's party did not join the expedition against the tribe of Umsilikasi.

After travelling a considerable distance, which occupied very many days, the expedition arrived at the outskirts of Umsilikasi's people. The attack was made at daylight and lasted until sunset. Great numbers of people were shot during the day, men, women, and children. The Boers said they shot the children because Umsilikasi also had taken prisoners some Boers' children, and still retained them as such. In the evening some of Umsilikasi's regiments came up. The Boers had then in their possession an immense amount of cattle. These came on to the attack. The Boers asked them, as they were advancing, why they would not give up their children to them? Umsilikasi's people replied, “If you asked us for them instead of surprising and shooting us in the night you should have had them, now you must take the consequences;” and they forthwith attacked. The Boers were mounted. Their waggons were a considerable distance off. They tried to defend themselves, but soon fled, and with difficulty got through. Four horses and guns were captured by the attacking party. The owners escaped by running between the horses, as I also did. Almost all the Bechuanas, who, like me, were with the Boers, were killed. A very few of them escaped. All the cattle was immediately captured by the owners.

After the Boers had got to the waggons, which had been arranged for defence, another regiment came up to attack them. It was now daylight. This regiment was entirely cut up

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by the Boers, very few of them escaping. The Boers then made the best of their way homewards. On their arrival opposite the tribe under the Bechuana chief Langa, most of whose men had accompanied the Boers against Umsilikasi, and got killed, we observed that the course of the waggons was changed and took towards Langa's people. There were 63 waggons in all. We did not know the object of this movement, as we were but three days walk from Origstad, and Langa was the Boers' friend and ally. In the afternoon they sent for the chief Langa to come to the camp; but one of the Bechuanas, in the service of one of the Boers, heard that they intended to kill him, and told the messengers, who were his own (Langa's) people, not to come, as such was the case. This tribe is very large and rich, and lives in one town, which covers much more ground than Pieter Maritzburg. The chief did not come, but sent a deputation to the Boers' camp. The deputation consisted of about 20 men, some of their great men. When they arrived the Boers expressed great indignation at the chief not coming when he was sent for. The deputation offered to despatch another messenger to fetch him. The Boers refused this. I then saw them seized and put to death on the spot. Those that attempted to run were shot down; those who were caught were stabbed to death by a murderous tribe called the Amanhlwenga, in the service of the Boers. Every one was killed. Immediately upon this the Boers got upon their horses and went very fast to the town in the night. I was also with them on horseback, and carried my master's gun. During the night the Boers took up different positions around the town, so as to prevent any escape. At daylight the party in rear commenced firing upon the town, and when the inhabitants attempted to fly they were shot down by the different parties stationed for that purpose. Immense numbers were killed, both of men and women. All the children were taken prisoners. This slaughter lasted four days, and each day immense numbers were killed, both of men and women; and immense numbers of cattle and sheep captured. The town however is so large that they could not kill or capture all. A very large number of children were captured and taken to the waggons. On the fifth day, not having been able to find the chief Langa, they made his wives and children show where he had concealed himself. They did so through fear. He had got into a cave in the rock. They could not get him out, so most of the fifth day was employed in keeping up a large fire at the mouth of it, so as to smother him. This fire was made of his own houses. They made the chief's own family carry the materials, and took their skin carosses from their persons to throw into the fire, in order to make the smoke thicker and more suffocating. The cave is very large, and many people were in it with the chief. I observed, however, that the smoke would not go very deep into the cave, and I afterwards found they were not killed. After this, we all returned to the waggons, which were drawn together in a circle for the night, and the next morning the women and children were driven inside for the purpose of being separated, as in the capture sometimes women were taken prisoners along with the children. When they were separated, Hendrik Potgieter ordered the Amanhlwenga to put them to death. They fell upon them with their assegais, and stabbed them all to death in the enclosure. The screaming of the mothers and children was dreadful to hear. I was one of those who had charge of the children. Several mothers had infants at the breast; the mothers were killed and the infants left by them alive. Some hundreds of women were slaughtered on this occasion. After this the waggons were inspanned, and another encampment was formed at some distance off, where Hendrich Potgieter divided the children into threes and fours to each man. Then the cattle were divided into large droves to each. The sheep were too numerous to manage, many of them were therefore abandoned. Many of the Boers were disgusted at these proceedings, and, refusing both cattle and children, went home. My master was among these; he, with several others, killed no one.

The morning after their arrival at Origstad, Hans called them to account for their conduct, and took a large lot of oxen from them. They fired at each other, but killed no one; we, therefore, thought they were only playing, they called it fighting. Some days after this, a native belonging to a tribe, at enmity with the Umlitzy tribe, came and told Hendrich Potgieter, that the Umlitzy tribe, which uses battle-axes, had heard of his (Potgieter's) threat to attack them, and that they said he might come, that they would fight. Another commando was then made by Potgieter against this tribe. It consisted of 30 waggons only, but many more men than the other one. When they arrived near the large town, they sent a messenger for the chief Somanyiba, who, being sick, could not come, but sent 10 large elephant's teeth carried by men. When these teeth were brought, the instant they were set down, the Boers seized the carriers before they spoke a word, and put them to death. Those who attempted to escape were ridden down and shot. The others were killed by their executioners, the Amanhlwenga. The next morning, the Boer force attacked the town. The tribe attempted to resist, but to no purpose, as they could not get near the Boers, who were mounted. Immense numbers of them were shot, both men and women, and immense numbers of women were killed by the Amanhlwenga after the army was defeated and dispersed. A large number of children were captured, as also cattle; more than they could manage. The captured women were allowed to go away leaving their children, which were distributed like the cattle as before. There was such an immense number of cattle, that part of them were stolen back by their former owners during the night. The Boers then returned to Origstad, and went to their homes.

I then went home to my tribe, and stayed for a short time. I then determined to come to this district to earn something, where murder is not practised. I told my chief, Maboko, and asked his permission. He immediately gave it, and desired me to find out Somtsew (the Diplomatic Agent), and tell him their position with the Boers; how their chiefs are tied up and flogged for nothing at all, and how their children are constantly taken away from them

and made slaves of by the Boers, and the parents dare not ask why, and ask whether the British Government cannot do anything for them.

After the attacks upon Umalikasi, Langa, and the Umlitzy tribe, they all sent a large tribute in ivory, asking for quiet and rest. Hlangwana, who was in Tredoux's service, saw the ivory in the assembly-room at Origstad.

It is about three months ago since these attacks took place.

Children taken in this manner are sold by one Boer to another. The price varies from three to five cattle. The Portuguese bring their slaves from Delagoa, and sell them to the Boers.

I have travelled with Hlangwana from tribe to tribe to reach this district. A black man dare not travel along the main road in this direction. He would be killed by the Boers. They will not allow any of the people from that part to come to this district.

(Signed)

MABALENI, ^{his}
X
mark.

Before me at Pieter Maritzberg, December 31, 1847.

(Signed)

T. SHEPSTONE, Diplomatic Agent, J. P.

Enclosure 9 in Lieut.-Governor WEST's Despatch, No. 5, of February 24, 1848.

Before THEOPHILUS SHEPSTONE, Esq., J. P., and Diplomatic Agent for the District of Natal, appeared HLANGWANA, a Native belonging to this District, who being duly sworn, deposes:—

I LEFT this district in the service of Tredoux, who went on a trading expedition to Origstad about five months back. We arrived at that place about the end of the second month. After trading there for a short time, my master went still further, and I, of course, accompanied him. On my return to Origstad, I found myself accused of being an English spy. I unfortunately had with me a soldier's old jacket. I was sent for to the assembly room and questioned very closely by the Boers, as to what instructions I had received, and what force was to follow me. I denied having been sent, but my jacket was adduced as proof. I explained that I had bought it from a Kafir, who had been in the service of the soldiers. I was then accused of having said that the Boers were "banya slecht" to another Kafir at Origstad, and that the English were "mooi." I then recollected that I had a large scar on my head and replied, "How could I say the English were mooi, when they smashed my head as you see?" (I found my master favoured the idea of my being a spy, because he wanted to get another man in my place). I said this, because I feared I should be killed, as I heard they killed people for very little cause. They, however, laughed at my head, and let me go. Whilst at Origstad, I saw numbers of Bechuana children at the Boers' houses. They were sitting in groups round the fires of the Boers' kitchen huts, looking disconsolate and sleepy, and naked. From seeing such numbers in such a state, I asked some Kafirs where they had come from. They told me that those were the children that the Boers had taken prisoners belonging to the Bechuana on their return from the expedition against Umzilikazi. I saw also a number of native sheep, which, they also told me, had been taken on the same occasion. Every Boer there owns immense herds of cattle. I heard from other Kafirs of the attack of the Boers upon the Bechuana tribes, but I did not hear the particulars until I had left Origstad on my way back with my master, when I fell in with Mabaleni the last deponent, three days' walk this side Origstad. He was trying to get to this district, and wanted to come with my master, but seeing Tredoux's bad treatment of me, we agreed to leave him and come through the tribes, as we have done.

(Signed)

HLANGWANA, ^{his}
X
mark.

Before me at Pieter Maritzberg, December 31, 1847.

(Signed)

T. SHEPSTONE, Diplomatic Agent, J. P.

Enclosure 10 in Lieut.-Governor WEST's Despatch, No. 5, of February 24, 1848.

STATEMENT made to WALTER HARDING, Crown Prosecutor at Natal, by JOHANNES BREWER, residing at the Umgani River.

I HAVE lately returned from a trading expedition beyond the boundaries. The Boers there are in a very unsettled state; Potgieter and his men have abandoned Origstad, and have returned to Potcaptrum, where they formerly lived. I heard that it was now ascertained that Origstad is not adapted for a settlement. I heard from some of the Boers behind the mountain that, about a year ago, Potgieter and his men attacked a Mantatee chief, named Marisee, and after killing most of the men, brought the women into their camp, and took away all the children, which were distributed amongst the Boers, and then drove the women away, beating and otherwise maltreating them. I did not hear this from any of the Boers who were present at these proceedings, but from others. The Boers generally were very violent

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against Potgieter for these proceedings. I also heard that, not long since, Potgieter attacked Masselckatzi, and captured and carried off a great number of cattle, which were, however, retaken from them by Masselckatzi. I did not hear of any attack on Langa.

January 17, 1848.

(Signed)

WALTER HARDING.

Enclosure 11 in Lieutenant-Governor WEST's Despatch, No. 5, of February 24, 1848.

At Pieter Maritzberg, January 19, 1848.

Before WALTER HARDING, resident Magistrate.

JOHANNES FREDERICK TREDOUX, residing at the Umgani, who being duly sworn, deposes:—

I LEFT this town on the 3rd September last, on a trading expedition. I proceeded to Origstad, and went two days' journey beyond it, and turned back on reaching the high land before descending towards Delagoa Bay. I was about a month at Origstad. The village does not contain more than 40 families, but there are a good many people residing along the Oliphant's River. The country about Origstad is bushy and unhealthy for cattle, and it continues so until one reaches the high land on the other side of it; there it is open and grassy, like this. Potgieter was not at Origstad when I was there; the people had divided into two parties; and Potgieter with his had gone to Movy River.

I know Hlangwana, a Kafir; he went from this in my service, and deserted from me on this side of Origstad, on my return home. He went with me to Origstad and beyond it.

On my way to Origstad I met a Portuguese trader, named Albazini, who resides at Delao a Bay. He had two waggons with merchandize, powder, and lead. I could not speak to him, or understand him at all. He has a black interpreter, and a few slaves,—young boys,—but I cannot say how many.

It is true that Hlangwana was accused of being an English spy at Origstad. It arose thus: after I had been about three weeks at Origstad, the Portuguese trader, Albazini, arrived there. The day after this the Landdrost of Origstad, Joachim Prinslos, sent for me. I went, and he told me that there was a complaint against me of having disgraced the Volksraad, by having said that their proceedings were unlawful, and that they were traitors. He then also told me that I would not be allowed to go away until I was tried for this. They then told me to wait. Hlangwana was then sent for. The field-cornet, Hans Steyn, was then directed to go to Albazini for his slave, and to bring him and Hlangwana and myself to be present at the field-cornet's house. Albazini's slave then, in presence of Hlangwana, said that the latter had told him, when I had met Albazini, that I paid him four cows for going on the journey with me, and that the Government here paid him four more cows to act as a spy. Hlangwana then denied this. The slave also said that Hlangwana had told him that the red jacket he had with him was given him by the Government. The matter ended by the slave being unable to prove his assertions, and Hlangwana was set at liberty. I was told the next day that I might go. They afterwards sent a letter to me, which I have got, and I then stopped. Two days afterwards I was sent for by the Landdrost again, and was then told that as the persons who had made their charges against me had refused to come, that I could go, more particularly as they belonged to Potgieter's party.

I heard at Origstad, from several persons who had been present, that Potgieter had made an attack upon Mesolekatsi, in which he took a large number of cattle, but which were retaken. I also heard from the same persons that after this Potgieter had attacked another native chief, whose name I do not know, and conquered him and his tribe. I did not hear anything about any children having been taken from this tribe, but I saw a great many Kafir children with the people at Origstad, but I did not hear where they came from; they appeared to be in the service of the people. I heard from several of the Boers at Origstad that they dealt in slaves with the Portuguese. Albazini, the trader I have mentioned, offered me a slave boy for sale for 15*l*.; he pointed the boy out to me; he resembled a Kafir boy. I saw a great number of native cattle at Origstad, which are peculiar, as having very large horns; and, indeed, I was told that they were cattle belonging to the natives under Maritzberg. I also heard that this man Maritzberg had been attacked by Potgieter and his party.

On my return home, on this side of the Vaal River, I met two men of the name of Nickirk. One of them was son-in-law to Andries Spies. They told me that they came from Plaatberg. They asked me if I had not heard anything about whether Kok was going to help them. I told them all I knew about him, which was that he and his people had gone to Movy River. They told me I had better leave this, as this place would soon be on fire. They said they were going to Kok. I did not see any of the Klip River people, nor did I come over the Draakberg by the Plaatberg.

I did not understand in what manner Kok was to help them.

I heard that Potgieter would not take up arms against the Government, and this was what I heard from the Boers generally.

I also heard that Panda had sent a message to the Boers at Origstad, offering them his co-operation against the English Government.

(Signed)

J. F. TREDOUX.

Before me.

(Signed)

WALTER HARDING, R. M.

(No. 151.)

No. 10.

NATAL.

No. 10.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B, to
Earl GREY.

Answered Dec. 27,
1848, No. 240, p. 90.

Camp "Bethany," two Marches from "Bloem Fontein,"
August 30, 1848.

MY LORD,

(Received November 24, 1848.)

IN continuance of my Despatch to your Lordship of the 23rd instant, reporting that, by means of that most perfect and inimitable invention, the caoutchouc pontoon float, I had established myself on the right bank of the deep and rapid Orange River, 200 yards in width, with four companies of the Cape Mounted Rifles, three six-pounders, two companies of the Rifle Brigade, and two companies of the 45th Regiment. I have now the honour to state, that the detachment of the 91st Regiment, having arrived on the 25th instant, was immediately carried over, with the exception of 40 men. These, with 20 of the Cape Corps, were posted on the left bank of the river, in charge of a boat and a hawser, which, for the purpose of securing my communication, I had succeeded in passing across the stream.

I marched on the morning of the 27th instant, provided with 30 days' Commissariat supplies, to Philippolis; and on the following day to a bivouac at a stream near "Vister's Hoek." Up to this period no positive information had reached me as to the spot at which the rebels proposed to make a stand, although rumour represented that they would probably do so at a place called "Boem Plaats," on the Kroom Alem Boh River, a celebrated position for the interruption of a march. Early yesterday morning I received intelligence much to be relied on that such was their positive intention; and on my march on this position in order of battle, a shepherd informed me that he had seen many fires during the night, and that he believed the whole rebel force was there strongly posted, numbering about 1000 men. I was soon sufficiently near to reconnoitre their position, of which, from my previous journey through the country, I had some knowledge. My troops were prepared for the attack, and scarcely had the advanced party of reconnoissance, accompanied by myself, arrived within shot, when the rebels sprang up, like the "men of Roderick Dhu," from behind bushes and rocks; every height was in an instant covered with them, and they opened a well-directed and very destructive fire.

The position chosen was a succession of ridges of hills on either side of a stream called the "Kroom Alem Boh," strongly undulating, and covered with large stones and bush, most favourable for defence. Its advance was formed by a lower range, the hills on the opposite bank of the river being much higher and, consequently, "en potome," and in support.

The Cape Rifles in advance, being by no means calculated, from being mounted, to stem this torrent of musketry, were ordered back; the three guns opened a rapid and well-directed fire upon the points where the rebels appeared to be the most numerous; the Rifle Brigade, supported by the two companies of the 45th Regiment, were directed to attack their left flank, so as to turn it; and the detachment 91st Regiment were held in reserve in rear of the guns. A more rapid, fierce, and well-directed fire than that kept up by the rebels, I have never seen maintained, and for some time they manfully held their ground, when a rush of the Rifle Brigade upon their left flank, of the 45th upon their left centre, and of the 91st, whom I now brought into action, upon their right centre, carried everything before it, and gallantly dislodged the rebels.

Meanwhile, a fierce and determined conflict was going on between the Cape Mounted Rifles and the right of the rebels, who descended the hills far in that direction, for the double purpose of turning my left flank and of insulting our baggage and Commissariat stores, which were collected on the plain below. I have seldom seen a sharper skirmish; the rebels advancing most rapidly and successfully into the plain, until their impetuosity exposed their left to the fire of one of the guns, by which they were checked; and the gallant Hottentots, nobly headed by their officers, then drove them back pell-mell into the hills. During this time, the victory on our right had rapidly progressed, the rebels

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in about three-quarters of an hour having been driven from their position on our side of the river, the higher ground upon the opposite bank of which they most obstinately endeavoured to hold. The gallant efforts of our infantry along their centre and on their left were, however, soon crowned with success, and at the same moment their right was driven, by the Cape Corps, across our front, by passing which they alone could gain the road leading over the neck of a range of hills by which they must retire. They were thus exposed to the fire of two of our guns, posted on the hill first carried by the Rifle Brigade and 45th Regiment, and from which they suffered greatly.

At this time, Lieut.-Colonel Buller, of the Rifle Brigade, who, with much judgment, gallantry, and ability, showed great knowledge of his profession in the commencement of the attack, and, by vigorously endeavouring to intercept the retreat of the rebels, was, I deeply regret to say, very severely, though I hope not dangerously, wounded above the knee, the same shot killing his horse; and I was thus deprived of his services at a moment when they were much required.

The rebels, thus driven at every point from their position, endeavoured to make a final stand at the neck in the high ridge of hills behind it previously alluded to, and which they successfully maintained against the Cape Mounted Rifles, and a body of about 250 Griquas, who this morning joined me, under their faithful chiefs Waterboer and Adam Kok. The guns and infantry were, however, advancing as rapidly as the heat of the day would permit; and the neck, the last hold of the rebels, was wrested from them.

One of the most severe skirmishes ever, I believe, witnessed, thus terminated in the complete success of Her Majesty's troops, aided by the best intentions on the part of the Griqua chiefs, whose conduct merits my perfect approbation.

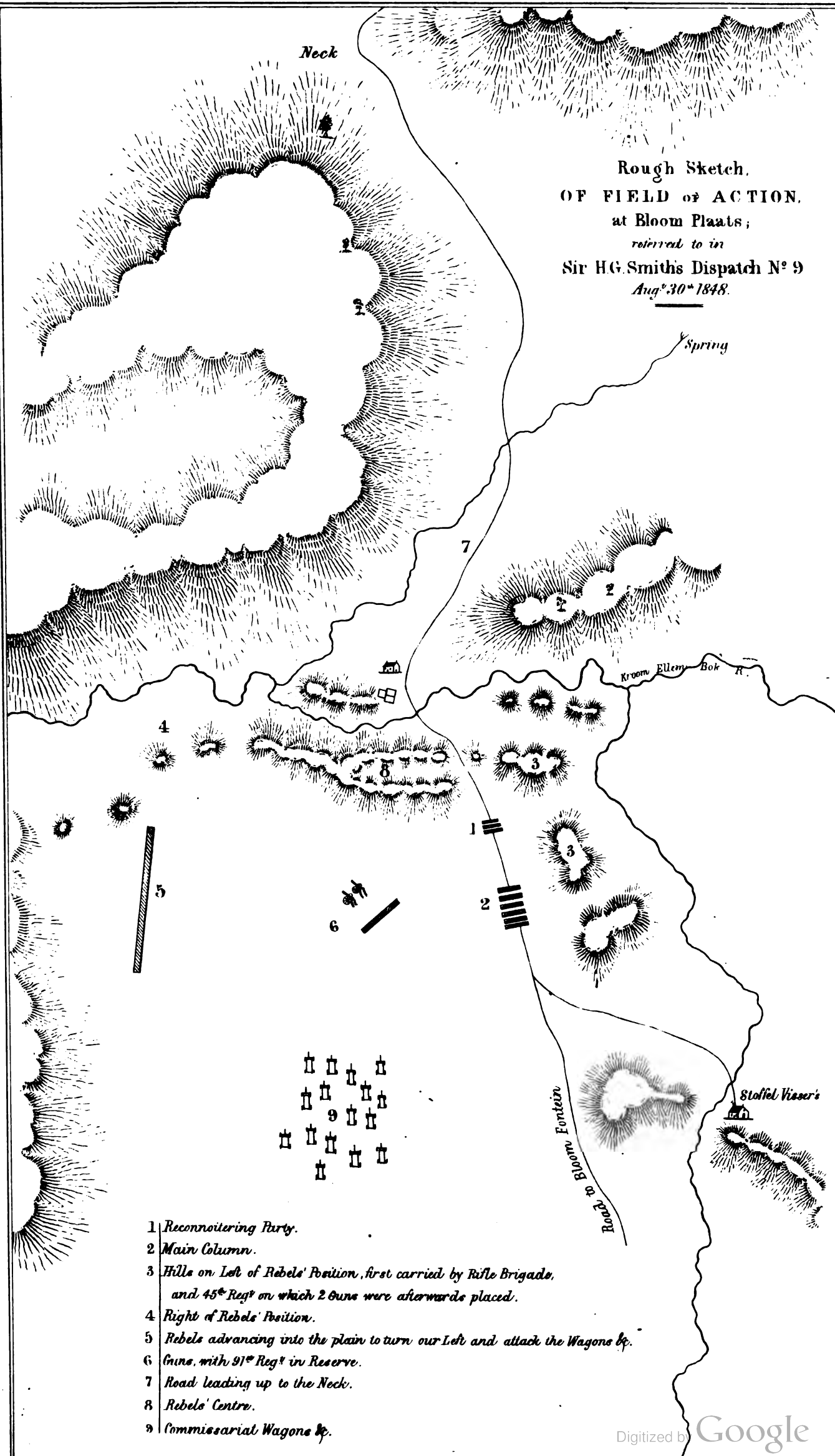
A conflict of this nature, in a position so formidable, cannot be attended with complete success without considerable loss. The rebels left dead upon the field 49 men, 12 having been killed by our cannon shot; and their wounded is of course in proportion. A great number of arms were thrown away, and many horses taken. The Boer never fights without his horse, from which he usually dismounts to fire over the saddle; and, consequently, when vigorously pressed, he has not time to remount. The loss on our side has, I truly regret to say, been also considerable, viz., 1 officer mortally and 6 severely wounded, and eight men killed and 39 wounded.

The gallant conduct of every officer and soldier calls for my warmest encomium, and renders it my imperative duty to impress upon your Lordship the merits of the troops, as deserving Her Majesty's gracious consideration. In doing so, I beg leave to point out to your Lordship the difficulties of the service in which I have been engaged, owing to the necessity of passing the Orange River, and the immense distance in this wild country of one point from another; and likewise to assure your Lordship that the nature of the rebel position was such as to call forth, not only judgment, but personal gallantry, on the part of the different officers, who I therefore venture to hope may be deemed to merit Her Majesty's gracious favour.

Lieut.-Colonel Buller has very fully evinced his talent for command and his gallantry in the performance of his duty. This officer's exertion, and that of Major Beckwith, in superintending and effecting the passage of the Orange River, was as laborious as instrumental in its important object. Major Sidney Beckwith, of the Rifle Brigade, a nephew of the late veteran of that name, and of such Rifle renown, greatly distinguished himself in command of the infantry, and has succeeded Colonel Buller in the command of the troops. To Captain Blenkinsopp, commanding the detachment 45th Regiment; to Lieutenant Pennington, commanding the detachment 91st Regiment; and to Lieutenant Dyneley, commanding the Royal Artillery, an officer of great promise, the service is greatly indebted; and of Captain Armstrong, in command of the Cape Mounted Rifles, I cannot speak in terms of too great praise. In fact, every officer and soldier performed the arduous and gallant duty demanded of him, in avenging the insult and indignity thrust upon Her Majesty's authority, as previously reported to your Lordship in detail. Major Warden, the British resident, was with me, and by his exertions was most useful in his civil as well as his military capacity.

The only officers of my personal staff with me are my private secretary,

Rough Sketch,
OF FIELD of ACTION,
at Bloom Plaats;
referred to in
Sir H.G. Smith's Dispatch N^o 9
Aug^r 30th 1848.



- 1 Reconnoitering Party.
- 2 Main Column.
- 3 Hills on Left of Rebels' Position, first carried by Rifle Brigade, and 45th Reg^t on which 2 Guns were afterwards placed.
- 4 Right of Rebels' Position.
- 5 Rebels advancing into the plain to turn our Left and attack the Wagons &c.
- 6 Guns, with 91st Reg^t in Reserve.
- 7 Road leading up to the Neck.
- 8 Rebels' Centre.
- 9 Commissariat Wagons &c.

Major Garvock, and my aide-de-camp, Lieutenant Holdich. The former, who also acted as my Adjutant-General and Quartermaster-General, is an officer who was severely wounded under my command upon the Sutlej; and I should feel it a favour personally conferred upon myself if some mark of Her Majesty's gracious approbation was conferred upon him. The latter was my aide-de-camp on the Sutlej, and severely wounded at Sobraon. Both these officers were of the greatest use to me, I do assure your Lordship, in most difficult and hazardous duty, as was Lieutenant Glyn, of the Rifle Brigade, Field Adjutant of the Force.

Dr. Hall, Deputy Inspector-General of Hospitals, fortunately came up with me from Cape Town, for I did not imagine I should have such occasion for his services; and the wounded, under his able care, have been provided for as I could desire. I have been obliged, however, to leave some of them at a farm-house near the field of action. In other countries, where distances are moderate, communications are generally simple; here nothing can be accomplished under a ride of from 20 to 30 miles, through a country abandoned by its inhabitants; and the difficulty attending the prosecution of war under such circumstances exceeds belief, requiring all the energy of experience.

As everything must be carried with the army, a train of 150 Commissariat waggons has been necessary; and for the arrangements connected with this department the service and the troops are much indebted to Deputy Assistant Commissary-General Green.

I must not omit to bring to your Lordship's notice Mr. Richard Southey, my secretary as Her Majesty's High Commissioner. This gentleman's activity in his direct position is most meritorious, but his exertions in assisting in the passage of the Orange River, and his endeavours to obtain information respecting the rebels, have been of the greatest utility. His courage was conspicuous also in the field.

No prisoners were taken, for none of the rebels would yield. Captain Armstrong was treacherously wounded by a man to whom he offered quarter, and this was not the only instance of its being refused.

I followed up the success obtained until dark, and again marched, two hours before daylight this morning, with the efficient portion of my troops, in the hope of overtaking the rebels and capturing their train of waggons, said to be 95 in number. After, however, a long march to this abandoned missionary station, destroyed and gutted by the rebels, I have seen nothing but tired and wounded horses left upon the road, the spoor or track of the insurgents being visible in every direction, as if they had fled in dismay. A Boer has just been brought into my camp, who describes them as having hurried off in two's and three's, and that their cause is regarded as hopeless.

I shall reach Bloem Fontein on the 2nd proximo, by which time I shall have been joined, if my anticipations be correct, by a great many loyal inhabitants; and when my procedure shall take a *legal* and most determined turn.

I have, &c.,
(Signed) H. G. SMITH.

The Right Hon. Earl Grey,
&c. &c. &c.

A rough sketch of the field of action is enclosed, together with a list of killed and wounded.

N.B. Since I closed this Despatch, two rebels have been brought in, taken near the field of battle. If found to have taken a prominent part, I shall try them by a general court-martial on arrival at Bloem Fontein; and the sentence shall determine their fate.

The friendly Boers are gathering thickly around me, in great delight at their future prospects. I am framing a Proclamation to be published at Bloem Fontein, a copy of which shall be transmitted to your Lordship after it is issued.

H. G. S.

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Encl. in No. 10.

Enclosure in No. 10.

GOVERNMENT NOTICE.

Colonial Office, Cape Town, September 9, 1848.

HIS EXCELLENCY the Governor, has directed the publication of the following account of an action which took place on the 29th ultimo, at Bloem Plaatz, between the troops under his command and the rebel Boers beyond the Orange River; and which ended in the total rout, and subsequent flight of the rebels.

The notice published on the 30th ultimo gave information of the passage of the Orange River by nearly all the troops, on the 23rd of that month, whereupon Pretorius, the rebel chief, together with those under his command, in number exceeding 1000 men, had fallen back towards Winburg, with a degree of precipitation which rendered the prospect of an action improbable. All the troops had arrived on the 25th, when his Excellency crossed the river and by incredible exertions the passage was completed by them on the 26th ultimo. His Excellency then moved the troops with the greatest rapidity, in the direction of Bloem Fontein, in pursuit of the rebels, whom on the 29th ultimo, he found posted in a very strong position at "Bloem Plaatz," on the Krom Elim Bok River, where is a succession of ridges of low hills, backed by a higher range, through a pass in which the road runs.

On a reconnoitering party, accompanied by his Excellency, approaching the first ridge, the rebels suddenly sprung up, and opened a heavy fire upon them. The left of their position was, however, quickly carried by the rifle brigade, 45th and 91st Regiments, the artillery (six-pounders) opening at the same time a very effective fire. The rebels' right having been considerably thrown forward, was gallantly attacked by the Cape Mounted Rifles, under the orders of Lieutenant-Colonel Buller; and driven back towards the Pass, in the direction of which, the enemy were now at every point hurrying, pursued from ridge to ridge of the low hills, by Her Majesty's troops, and suffering great loss as they retired, from the guns which opened upon them wherever they could be brought to bear. It was afterwards found that 12 men had been killed by one well-directed round shot. On reaching the summit of the Pass, the enemy made a bold, though fruitless effort to maintain their position, but by a combined attack of the Cape Mounted Rifles, with a body of the Griqua Auxiliaries, they were at length driven from this, their last position; on abandoning which they fled in the utmost disorder, in all directions over the plain beyond, leaving behind them many horses, arms, and various articles of dress, &c. His Excellency continued the pursuit for several miles, and until dark; but it being evident that the rebels were completely broken, halted for the night at "Calver Fontein." In the hope of overtaking, and capturing the train of wagons, he marched next morning, the 30th ultimo at 2 o'clock, for "Bethany," which he reached early in the day, and then ascertained that the enemy's camp no longer existed; they having fled in parties of two and three with their waggons in all directions. On the march, evidence, was everywhere afforded of the precipitate retreat of the rebels, numbers of horses, &c. having been left on the road. Forty-nine of the enemy were counted dead upon the field; their wounded may be considered upwards of 150. Owing to the nature of the ground, which afforded great advantage to the rebels, the loss on the side of Her Majesty's troops is unfortunately rather heavy, as will be seen by the following return.

By his Excellency's command,
(Signed) JOHN MONTAGU, Secretary to Government.

RETURN of Killed and Wounded, in Action with the Rebel Boers at "Bloem Plaatz,"
29th August, 1848.

CORPS.	Officers.		Men.		Horses.	
	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.
General Staff	..	..	..	..	..	2
45th Regiment (reserve battalion)	..	..	1	19	..	..
91st Regiment (reserve battalion).	..	1	..	2	..	..
Rifle Brigade	..	2	3	12	2	..
Cape Mounted Rifles	..	4	4	6	9	11
Total	..	7	8	39	11	13

Officers Wounded.

Lieut.-Colonel Buller, Rifle Brigade, severely.
 Captain Murray, ditto, mortally—(since dead.)
 Captain Armstrong, Cape Mounted Rifles, severely.
 Lieutenant Salis, ditto dangerously.
 Lieutenant Mill, ditto severely.
 Ensign Steele, ditto dangerously.
 Ensign Crampton, 91st Regiment, dangerously.

(Signed) JOHN GARVOCK, Major.

(No. 152.)

No. 11.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B. to Earl GREY.

Camp, right bank of the Orange River,
August 30, 1848.

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No. 11.

Answered Dec. 4,
1848, No. 228,
page 89.

MY LORD,

(Received November 27, 1848.)

I HAVE the honour to transmit herewith to your Lordship copies of a correspondence between his honour the Lieutenant-Governor of Natal and myself. I cannot conceive that the chief Panda contemplates any inroad into the district of Natal, as it is his intent to refrain from so doing. I have, however, sent to this district the half of the 73rd Regiment, being all the available force at my disposal. With reference to the reinforcement of cavalry, the Lieutenant-Governor has fifty of the 45th Regiment mounted, with thirty men of the Cape corps, and two guns well horsed.

The Right Hon. Earl Grey,
&c. &c. &c.I have, &c.
(Signed) H. G. SMITH.

(No. 81.)

Enclosure 1 in No. 11.

Encl. 1 in No. 11.

SIR,

Government House, Pieter Maritzberg,
July 5, 1848.

I HAD the honour of reporting to your Excellency, on the 9th June, a second violation of our boundaries by the Zulus, and the instruction which I had consequently issued to the Diplomatic Agent.

I have now the honour to enclose for the information of his Excellency, that officer's report of the inquiry he had instituted on the spot, and from which it will appear that Mr. Shepstone saw cause to forward the message with which he had been furnished, and to which no reply has yet been received.

June 22, 1848.

No. 1.

On the 30th June the message, of which a copy is enclosed, was received from Panda, to which I made the enclosed reply.

Nos. 2 and 3.

Under all the circumstances, I have deemed it advisable to cause these last documents to be published.

His Excellency the Governor of the Cape of Good Hope,
&c. &c. &c.I have, &c.
(Signed) M. WEST.

No. 1.

SIR,

Pieter Maritzberg, June 22, 1848.

IN obedience to instructions conveyed to me by your letter of the 8th instant, I proceeded to that part of the frontier on the Tugela, occupied by the chief Magadama, and forthwith instituted an investigation into the circumstances connected with the recent entrance of an armed party of Zulus into the district, when they took forcible possession of a number of cattle, brought across by the sons of an unfortunate refugee from the Zulu country.

The enclosed depositions contain the particulars which I forward for the information of his Honour the Lieut.-Governor.

In addition to these statements, I cannot omit reporting that the idea of a rupture with this Government, or some other serious political movement in the Zulu country being at hand, universally prevails among the best informed of the natives. Many circumstances appear to justify the inference, and the language held by most of the principal men in the Zulu country, when they have a safe opportunity of speaking their sentiments, show the impatience with which they bear the yoke of their tyrannical ruler.

All parties, whether European or native, visitors in the Zulu country, as well as the Zulu refugees themselves, represent the nation as being in a very restless and excitable condition, eagerly watching for any circumstances that might give rise to a general disturbance.

Panda himself, wrapped up in his own vanity and conceit of his power, and hurried forward by the constant excitement produced by the war dances of his young regiments, performed daily before him for his amusement, and confident in the complete military organization of the whole nation, appears reckless of the consequences of such overt acts as the one it has been my duty to investigate on this occasion.

The young regiments, inflamed by similar sentiments, and ambitious to distinguish themselves, even against "the foe," as they express it, are even less apprehensive of consequences than their commander.

While the body of the nation, wearied out by the insecurity of their lives and property, terrified by the constant executions and assassinations of their number caused by the king, disappointed in the long cherished hope of interference by the British Government in their behalf, and still further inflamed by the degree of happiness and protection they see enjoyed by natives residing under British rule, separated from them only by a stream of water which

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it is death to be found crossing, are impatient under the pressure of their circumstances, and are ready at the smallest signal to raise a storm that shall result in altering them in any degree.

The result of such sentiments as these is to some extent shown by the numerous arrivals from the Zulu country of men of influence and considerable property abandoning their families and cattle to live in security within the district. This sacrifice has been frequently and readily made to secure escape from Panda's tyranny; and the order that was issued by me to the different frontier chiefs, in obedience to his Honour's commands, two years ago, to prevent all Zulu cattle from entering the district, has been, and still remains the chief, if not the sole, prop to Panda's power, as it is now beyond doubt that a contrary policy would have transferred almost the entire Zulu population to this district.

Another remarkable result of this feeling is to be found in the different private messages I have from time to time received from influential and powerful men in the Zulu country, entreating the Government to interfere in their behalf, and accusing it of sanctioning Panda's cruelties, because it supported his power as separate and independent. These messages were of course sent at the hazard of the lives of the authors; and as his Honour is well aware, in spite of the very decided discouragement they met with here, and in two instances, (one a brother to the king and the other a chief councillor of the nation,) their executions followed shortly after.

Lately I have also received communications from influential men in the Zulu country, one a councillor, having about 2000 men under him, beseeching me to interest myself with the Government in his behalf and that of his people, in order that they might be received into the district with their personal property. Mr. King, an Englishman, lately returned from the Zulu country, was entrusted with this message.

To entertain, however, such applications would be to decree Panda's downfall, and inundate the district with Zulu's, while at the same time the fact of such communications being made to the Government involves considerations of an equal serious character.

I lay these circumstances before his Honour the Lieutenant-Governor, not from any apprehension that the safety of the district would be materially compromised by whatever may result from this state of political feeling in the Zulu country, but because they have come under my notice as Diplomatic Agent, and because serious inconvenience and embarrassment may occur to the measures of his Honour's Government within the district, should the results, to which circumstances at present seem to point, actually take place.

I have, &c.,

The Honourable the Secretary
to Government, Natal.

(Signed) T. SHEPSTONE, Diplomatic Agent.

STATEMENT of SITA, Subject of the Chief Magadama.

I RESIDE on the bank of the Tugela, and my kraal is the nearest to the river of any of Magadama's people. The day that the Zulu armed force crossed the river and took from my kraal the cattle that had been driven to it by some Zulu fugitives, I was away at the kraal of Kubulo, Magadama's principal men. One of my women came running to tell me what had happened that morning during my absence; that four young Zulu men had brought across about 30 head of cattle belonging to their father, Umtshunga, who intended to follow; but shortly after their arrival, and just as the young men had finished hanging out their things to dry, which had got wet in crossing the river, an armed Zulu force appeared before the kraal. The young men instantly betook themselves to flight, leaving the cattle they had brought with them at the kraal gate. The women and children also ran into the bushes and rocks for safety. The Zulu party then took the cattle and recrossed the Tugela. The woman that related this was under the impression that all my cattle had also been taken, as they were that day feeding along the river. Magadama's chief man then told me to go instantly and inquire into what had happened, and that he would follow. I ran off to the ford and found the cattle just across, and part of the Zulu force still on this side. I stood at a little distance and called to them for an explanation of their conduct. They replied sharply "We have a right to cross the river after our cattle," I replied, "Do you not know that the Tugela is the boundary, and that you have no right to cross it with an armed force for any purpose?" He replied, "We know the White Chief ourselves, we do not care for him. We did not take your cattle, although we could have done so, and you have no cause to complain." I said "You have taken our cattle, inasmuch as you have taken cattle from our kraal by force, and without their being given over to your hands." They rejoined, "And had they passed you and gone to the White Chief, we would have taken them there also." Kubulo arrived at this moment, and I told him what had passed between us. By this time they had all crossed the river. Kubulo told me to go across to them with a message from him, as the chief Magadama's principal man, to the following effect, viz., "That what they had done, they had done; but that it must be the last time, for if ever they attempted to cross the river again in an armed body, he would attack them without asking any questions; that if they were in pursuit of cattle, the armed force ought to have staid across the river, and sent a couple of men through to the chief, who would have given up the cattle peaceably." I went across and came up with them. The two heads of the party were sent for, one of whose name is Uraela, and the other Umgonela. I delivered this message to them. They laughed at me and said, "If these cattle had got to the White Chief, we should have taken them. What are you or your chief? We should have passed by you and gone after them, and if you kill even all of us, that would not have affected the strength of the Zulus. If our cattle cross the river we shall cross after them, and follow them wherever they go." I remonstrated with them, but they only laughed at

the idea of resistance from us. While I was standing talking to them, the unfortunate owner of the cattle and father of the four young men appeared in sight, with a little boy. The Zulus instantly recognized him and dashed after him. I begged of them to spare his life as they had his cattle, but to no purpose. He was pursued so closely, that he jumped into the river to escape them, and was soon drowned. His little boy crept into the reeds, but they found him and took him back with them. I then returned across the river to my kraal, when I found my wives and children, some of them having received serious injuries and bruises in their precipitate flight.

(Signed) ^{his} ZITA X
mark.

Sworn before me at the Nodi River, right bank of the Tugela, June 17, 1848.

(Signed) T. SHEPSTONE, Diplomatic Agent.

Statement of Zita corroborated by Kubulo, Magadama's principal man.

(Signed) ^{his} KUBULO X
mark.

(Signed) T. SHEPSTONE, J.P., Diplomatic Agent.

STATEMENT of SOBRYASE, one of Magadama's principal men.

June 17, 1848.

I HAPPENED to be at Panda's kraal when the report of these proceedings were made to him. I was not however present at the moment. Panda himself told me of it, saying, "My people went away and fetched the cattle from your kraals and you did not resist, and your people behaved wisely in not resisting, for they would have been destroyed, my men were only waiting to see them commence."

I said they did wrong crossing the river in an armed body; the party ought to have staid on this side and sent across. Magadama will most certainly attack any armed force he sees in his country without knowing its intention. Panda replied, "If you do, I will order your instant destruction, the White Chief will talk about it after you are dead." I told him there was no necessity for an armed force to enter after cattle; there were already orders about it, that the cattle should be given up on demand. Panda said, "He could not stop the Zulus in pursuit of cattle; and had these even gone to the White Chief they would have followed and taken them." I replied, "I thought your last messengers denied to the English Government that your army had crossed into its territory with your knowledge, and now you sanction its doing so at every opportunity." He answered, "Yes, I did not know of its crossing, nor of this; but the Zulus will never be stopped from following cattle—they would have followed them to the White Chief himself." I said, "You did not use force formerly; Mawa's cattle were not restored to you by your using force, and others which have been returned, have not been restored by the intervention of force." He made the same reply, viz., "That Zulus would not be stopped in the pursuit of cattle." I asked him, "If we were to follow one of our fugitives in the same way what he would do?" He, however, made no reply.

Panda has upwards of 100 young men armed with guns. They have plenty of powder and balls, and frequently exercise; they did so while I was there.

All the Zulus are inclined to an attack upon this district—Panda's young regiments because they think they can conquer; the older, because they think a war is the only chance they have of an emancipation.

I told Panda that if an armed force entered our part of the district, we should resist it. He said, "Then you will be destroyed. You black people dare not fight with me, and if the Government procured the assistance of Faku and all his army, you dare not."

(Signed) ^{his} SOBRYASE X
mark.

Sworn before me at the Nodi River, right bank of the Tugela, the 17th day of June, 1848.

(Signed) T. SHEPSTONE, J.P., Diplomatic Agent.

(No. 62—1848.)

GOVERNMENT NOTICE.

THE Lieutenant-Governor has been pleased to direct the publication of the following documents.

By command of his honour the Lieut.-Governor.

(Signed) D. MOODIE, Secretary to Government.

Colonial Office, Natal, 4th July, 1848.

No. 2.

STATEMENT of GEBULA and UMPIKO, Messengers sent by PANDA, King of the Zulus, to the Lieut.-Governor of Natal.—June 29th, 1848.

SEVEN days ago we were sent by Panda to the Lieut.-Governor of Natal. Panda wishes to be informed of any political news the Lieut.-Governor may have to impart, and especially as to the news from over the mountain.

NATAL.

Panda acknowledges that his army did violate the boundary of its district on its march to Langalibalele; but it was necessary, in order to cut off some cattle that were running away over the mountain. It is an exemplification of the inconvenience attending the boundary line that Panda at first pointed out. Panda, however, thanks the Lieutenant-Governor for signifying his disapproval of the step. This is the way to perpetuate a good understanding.

Panda also desired us to mention a circumstance that occurred lately, in which a man ran across the Tugela with his cattle, and was followed by some of his people, who, on the spur of the moment, retook the cattle from one of the native kraals within this district. This occurred without Panda's knowledge, and he was angry with the men who did it when it was reported to him, and they narrowly escaped punishment. Panda says that they knew that the cattle would have been restored upon their being peaceably demanded by messengers, as on former occasions.

We met Zatsake and his attendants, messengers sent to Panda, in reference to this case, near the king's kraal, and requested him to return with us, but he refused, and said he would not return until he had delivered his message.

* Vide Mr. Toohey's
Letter of Feb. 2,
1848, page 38.

Panda wishes to bring to his Honour's notice the conduct of an Englishman named Singcungee (Mr. D. C. Toohey). On a former visit, Panda gave him three large elephant tusks, on consideration that he would bring him a corresponding present in return on his next visit. The last time Mr. Toohey* came, Panda expected he had brought the present, but found he had not. Panda declined bargaining with him. Toohey used strong language, saying he saw he was dead, and so forth. Panda told him he could trade with others, but not with him. Toohey asked permission to hunt; Panda gave it: he did not, however, go to hunt, but sent Zegwana to Mapita, a man of rank in the Zulu country, to tell him that he was now created king of the Zulus in place of Panda, accompanying this announcement with presents to Mapita, who happened to be visiting at one of Panda's own kraals. Mapita took these presents to Panda, and communicated to him the message he had received from Toohey through Zegwana.

Panda replied he knew of no cause for such a measure, but that he would inquire if Toohey had any authority to take such a step.

Panda has sent us to ascertain whether Toohey had the authority of Government, and, if so, what he has done to merit the use of such an extreme measure.

his
GEBULA X
mark.
his
UMPIKO X
mark.

In my presence,
(Signed)

T. SHERSTON, Diplomatic Agent.

(L.S.)

No. 3.

MESSAGE from his Honour the Lieut.-Governor of NATAL to PANDA, King of the Zulus.

(Signed) M. WEST,

THE Lieutenant-Governor has received Panda's message, by Gebula, and informs him in reply, that the news from over the mountain is good, and that it is said that many Boers are about to return.

The unsatisfactory rumours in circulation, when the last messengers were here, have ceased.

Panda admits that his army did cross the Umsingate, and that this was a violation of the boundary. The Lieutenant-Governor therefore expects from Panda an assurance that this offence will not be repeated.

The alleged inconvenience of the boundary-line is no sufficient excuse.

The Lieutenant-Governor has sent Tatsuki to receive Panda's explanation of a more recent violation of the boundary, and must await his return before replying to this part of the message.

Mr. Toohey is not an agent of the Government, and had no authority from the Lieutenant-Governor for anything he may have said or done.

Panda has been already informed that this Government fully recognizes his right to allow or refuse leave to British subjects to enter his country for the purpose of trading, hunting, or otherwise; and the Lieutenant-Governor now informs Panda that he has full right to remove from his country any British subject who misbehaves himself.

By command of his Honour the Lieut.-Governor,

(Signed) D. MOODIE, Secretary to Government.

Colonial Office, Natal, July 3, 1848.

Encl. 2 in No. 11. (No. 32.)

Enclosure 2 in No. 11.

Government House, Pieter Maritzberg,
July 31, 1848.

SIR,

I HAVE the honour to acknowledge the receipt, per "Douglas," on the 24th instant, of your Excellency's Despatch, No. 4, of the 20th June last.

With reference to your Excellency's remark upon my applications for an increase of military

force, especially cavalry, I beg to explain that my application was limited to that increase which the Secretary of State, in his Lordship's Despatch of the 10th* December, 1847, trusted that your Excellency would be enabled to provide after the termination of the Kafir war; and I beg it to be clearly understood that I expect to be provided with nothing more than a due proportion with reference to the position of this district, of the force, great or small, which Her Majesty's Government may assign for the general defence of the British dominions in South Africa.

I would submit, with reference to your Excellency's remarks, that I have at my disposal, among other troops, 30 of the Cape Corps, that, considering that this regiment has 12 companies, this number would appear to be less than a due proportion of cavalry, the kind of force more especially required.

The suggestions thrown out by your Excellency, as to the levies of two corps of volunteers, and the organization of the natives into bodies similar to the Zoolah armies, shall have my best and immediate attention.

I have already communicated with the Diplomatic Agent upon the latter subject, as also with Colonel Boys upon the subject of the small work which your Excellency deems it desirable to throw up at Bushman's River.

I have, &c.,
(Signed) M. WEST.

His Excellency the Governor of the Cape of Good Hope,
&c. &c. &c.

Enclosure 3 in No. 11.

Encl. 3 in No. 11.

Camp, right bank of the Orange River,
August 24, 1848.

SIR,

I HAVE the honour to acknowledge the receipt of your Honour's letter of the 31st ultimo, which reached me yesterday. I must say that I do not attach any degree of importance to the supposition of Mr. Shepstone, that the chief Panda meditates war, because it is not his interest to make it. Pending the outbreak of the Boers in this territory, I have sent half of the 73rd Regiment to your aid, being the whole of the troops that I have available. With regard to cavalry, you are wrong in supposing that the Cape Corps is of the strength you mention, as it has been unfortunate in its recruiting. You have 50 well-mounted men of the 45th Regiment, who are most efficient, with 30 of the Cape Corps; and these are all that I can, for the present, place at your disposal. You have also two guns, well horsed.

In consequence of the Orange River being full, I have been prevented marching up the country so soon as I had hoped to be able to do; but this outbreak, headed by Pretorius, will soon be terminated; the feeling of the Boers who are householders being generally favourable to Government, the rebels consisting, for the most part, of men ruined in mind and circumstances.

I have, &c.,
(Signed) H. G. SMITH.

His Honour the Lieutenant-Governor, Natal.

(No. 153.)

No. 12.

No. 12.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Answered Dec. 4, -
1848, No. 228,
page 89.

Camp, right bank of the Orange River.
August 30, 1848.

MY LORD,

(Received November 27, 1848.)

I HAVE the honour herewith to transmit to your Lordship copies of a communication, and of my reply thereto, addressed to the Secretary to Government, Cape Town, by direction of his Honour the Lieutenant-Governor of Natal, stating that the chief Panda was endeavouring to defend the inroad of his people over the border in search of stolen cattle; and that Mr. West had, in consequence, by the advice of the majority of his Honour's Council, augmented the native police force by 100 men. I have sanctioned this measure pending your Lordship's decision.

I have, &c.,
(Signed) H. G. SMITH.

The Right Hon. Earl Grey,
&c. &c. &c.

NATAL.
Encl. 1 in No. 12.

(No. 51.)

Enclosure 1 in No. 12.

Colonial Office, Natal, July 13, 1848.

SIR,

WITH reference to my letter, No. 41, of the 9th June last, I am directed by the Lieutenant-Governor to transmit enclosed, for the information of his Excellency the Governor, a copy of the statement of the native messenger employed to convey to Panda the message of which a copy accompanied my said letter.

I am also to enclose copies of a message which, with the concurrence of the Executive Council, the Lieutenant-Governor is about to send to Panda, and of the minutes of the Council on that subject, as well as upon the increase of the native police, a measure which his Honour, by the advice of the majority of the Council, has decided upon, to the extent of 100 additional men.

I am directed to add, that should the additional expense thus incurred fall ultimately upon the funds of this Government, the Lieutenant-Governor still apprehends that, as a temporary measure, it is fully warranted by the present circumstances of the district.

The Honourable the Secretary to Government,
Cape of Good Hope.

I have, &c.,
(Signed) D. MOODIE.

No. 1.

Pieter Maritzberg, July 5, 1848.

STATEMENT of ZATSHUKI, Messenger sent by the Lieutenant-Governor of Natal to Panda, King of the Zulus.

I FOUND Panda at one of his military kraals, called Umlumvongweneya; I was two days at his residence before I saw him; on the third day I was called to an interview with him in the morning; I then delivered my message concerning the armed party that had crossed into this district at the point inhabited by Magadama. The moment I had finished he exclaimed, "Whose cattle were they then? Were they not mine? No one in the Zulu country owns cattle but me; they are all mine, and I shall follow them wherever they go. My people did right in following them, and they shall do so again." He said this very positively, and in an indignant manner added, "What business has any one to insist upon a lot of talk about the return of my own property?" I replied, "The Government do not wish to question your individual right to any Zulu cattle brought into the district; so far from this, it has long since made arrangements for their seizure the moment they may enter the district, and for their restoration upon peaceable demand. This you are also aware of. The Government thought you knew nothing of this act, and sent me to acquaint you of it." Panda replied, "I did it. I wished to kill that fugitive, because he was a wizard." I replied, "It is well you avow it; it shortens my business; but you must remember this is the second time you have violated the boundary of the district. Your army crossed the Umsinyati on its march to the tribe of Langulabele." Panda replied, "It was necessary my army should cross the Umsinyati; I wished to destroy a man that does a great deal of mischief." I repeated what I had before said of the arrangements that had been made for the restoration of any cattle that may be taken across the boundary by fugitives into the district. He repeated his former declaration, that whenever they shall have crossed the boundary, he would have them followed, but that he would give his people orders not to stab or use the assegai until they were resisted, "and then," added he, "you will see a blaze." I again drew his attention to the wish the Government evinced to comply with his demands by the arrangements it had made for the return of Zulu cattle, but that it would not allow any armed parties to enter the district. He replied, "Yes, I know; I am quite aware of those orders, but I shall follow my cattle; that is the shortest way. I should have disapproved of my people's conduct if they had taken cattle from among cattle belonging to the district, but they were so quick after them that they caught them before they became mixed; therefore no harm was done. I shall do so again; it is the best and shortest plan. The English Government is my friend, and you are a good messenger, because I recognise every word you say as having been said by the Government, and if they want to send you again don't refuse. I shall live to a good old age if the Government perseveres in asking me (calling me to account) when I do wrong." He then said, "Go home, and tell the Lieutenant-Governor that I shall always follow my cattle. He has admitted that they are mine, and I shall follow my own." I again repeated the difference between following with an armed force and by a peaceable demand; and said, that if Magadama's men had been on the spot, blood would have been spilled. He replied as before, and added, "If Magadama's men been there, my men would not have fought until Magadama's men had struck the first blow, and then you would have seen a blaze."

Seeing my explanations were useless, and that he had already ordered me to return to the district, I was on the point of taking my leave, when I offered him the paper containing the written message I had just delivered. He refused to receive it, and said, "What do I know of writing? I know nothing of paper, take it back with you." I replied, "It is customary to send you the message written, as well as verbally. What have you done with the written ones on other occasions?" He said, "I never receive them, I have nothing to do with them, I do not understand them. He persisted in ordering me to take it back, and I have returned with it.

During the night previous to my interview with Panda, a discharge of musketry took place, the people said there were 100 stand.

Panda told me that he had told Gebula to say all that he had said to me on the subject of

pursuing cattle driven into the district, and his determination to put all offenders (in the practice of witchcraft) to death. He concluded his declarations on the subject, by saying "The English are my friends, and I shall live to an old age, if they always question me, when I do wrong."

NATAL.

In my presence, (Signed) . ZATSHUKI, ^{his} X
(Signed) T. SHEPSTONE, Diplomatic Agent. ^{mark.}

Memorandum of conversation between Zatschuki, messenger from this Government to Panda, and Gebula, messenger from Panda to the Lieut.-Governor of Natal, on the discrepancy of their several statements, the attendants of both messengers being present.

Gebula admits the words spoken by Zatschuki, to express Panda's sentiments, explains that Panda was at first angry with the people who followed armed, after the refugees' cattle, but when explained to him that no harm had been done, he approved.

Zatschuki mentions an additional reason that Panda mentioned for following up and capturing cattle, taken away by refugees, that as soon as they enter the boundary, they are stolen by the natives in the district, and never can be brought back the same in number as when they were taken away.

Gebula admits this to be a very powerful reason for the following up of such cattle, but cannot explain the cause of the expressions attributed to Panda by Zatschuki, but he does not, for a moment, question that he used them. He wishes the Lieut.-Governor to send a strong message in reference to them, and which they will undertake to deliver.

July 6, 1848.

No. 2.

REPLY of His Honour the Lieut.-Governor of Natal, to Panda, King of the Zulus.

(L. S.)

(Signed) M. WEST.

PANDA in his last message by Zatschuki, informs the Lieutenant-Governor that whenever any Zulu cattle may be brought into this district, he will cause them to be pursued and brought back by parties of armed Zulus, although Panda knows that such cattle have always been given up to him on peaceful demand.

The course proposed by Panda, must inevitably tend to disturb those friendly relations with this Government, which Panda has always stated it to be his wish to maintain, and therefore the Lieutenant-Governor now informs Panda that it will not be allowed.

Colonial Office, Natal, July 14, 1848.

By command of his Honour the Lieutenant-Governor.

(Signed) D. MOODIE, Secretary to Government.

Nos. 3 and 4.

Meeting 27.—July 10, 1848.

EXECUTIVE COUNCIL, NATAL.

Pieter Maritzberg, July 10, 1848.

The Council being assembled this day, in pursuance of adjournment.

Present all the members except the Collector of Customs, absent on duty.

The minutes of the preceding meeting, held on the 7th July, are read and confirmed.

After deliberation upon the tenor of the proposed message to Panda, and upon the propriety of recommending to his Honour the Lieutenant-Governor, an immediate increase of the native police force, the Council is further adjourned until Wednesday the 12th instant, at 11 A.M.

(Signed) D. MOODIE,
Member and Secretary.

Meeting 28.—July 12, 1848.

EXECUTIVE COUNCIL, NATAL.

Pieter Maritzberg, July 12, 1848.

The Council being assembled this day in pursuance of adjournment.

Present all the members except the Collector of Customs, absent on duty.

The minutes of the preceding meeting, held on the 10th July, are read and confirmed.

The Lieutenant-Governor lays before the Council a draft of a message to Panda.

The Council unanimously approves of the proposed message.

The officer commanding the troops, the Secretary to Government, and the Surveyor-General, concur in recommending to the Lieutenant-Governor an immediate increase of the native police force, by at least 100 men.

The Crown Prosecutor states that he dissents from this recommendation.

The Lieutenant-Governor requests that the members will give in their reasons for the advice they have given at the next meeting, and for this purpose, the Council adjourns till Monday the 17th instant, at 11 A.M.

NATAL.

Enclosure 2 in No. 12.

Encl. 2 in No. 12.

(No. 62—1848.)

SIR,

Colonial Office, Natal, July 31, 1848.

WITH reference to my letter, No. 51, of the 13th instant, I am directed by the Lieutenant-Governor to state, for the information of his Excellency the Governor, that the Diplomatic Agent reports that he has found it impossible to induce any of the native chiefs within the district who have been usually employed in conveying messages to Panda, to proceed to the residence of that chief, in order to deliver to him the message of which a copy was enclosed with my said letter; and that as the Lieutenant-Governor does not deem it expedient to send any European to that country at present, he has directed the message in question to be delivered at the nearest Zoolah kraal.

Mr. Shepstone, who has frequently received through the natives, intimations that a correspondence is constantly kept up between Pretorius and Panda, attributes their reluctance to convey this message to an impression which has consequently been produced on their minds generally, that fear for this Government will no longer be a sufficient protection.

With reference to the statement of Panda, that he will in future send armed men into this district in pursuit of cattle, I am to report that the Lieutenant-Governor has deemed it expedient to keep the native police together for the present, in order that they may be ready to act upon any point where their services may be required; and consequently it has been deemed necessary to countermand for the present the instruction for the establishment of posts to protect the inhabitants from the bushmen, which were reported in my letter, No. 47, of the 6th instant.

The Hon. the Secretary to Government,
Cape Town.

I have, &c.
(Signed) D. MOODIE.

Encl. 3 in No. 12.

Enclosure 3 in No. 12.

SIR,

Camp, right bank of the Orange River,
August 30, 1848.

I HAVE the honour to acknowledge the receipt of Mr. Moodie's letter of the 13th ultimo, addressed to the Honourable the Secretary to Government, for my information, with its enclosures, stating that your Honour had, by the advice of the majority of your Council, increased the native police force at Natal, by 100 men.

I beg to inform you that I have written to Earl Grey, stating that I have sanctioned this increase, pending his Lordship's decision.

His Honour the Lieutenant Governor, Natal,
&c. &c. &c.

I have, &c.
(Signed) H. G. SMITH.

No. 13.

(No. 154.)

No. 13.

Answered No. 245,
Jan. 10, 1849, p. 91.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY.

Camp, right bank of the Orange River,
August 30, 1848.

MY LORD,

(Received November 27, 1848.)

I HAVE the honour herewith to transmit to your Lordship, copy of a communication written by direction of his Honour the Lieutenant-Governor of Natal, by which it appears, that, in conformity with the instructions contained in your Lordship's Despatch, No. 51,* of the 10th March, 1847, he has granted an annual sum of 50*l.* to our missionary in each of the native locations; as well as 50*l.* per annum in aid of an industrial school for natives.

The state of the Natal Treasury, at present admitting of little extra expenditure, I beg to submit the arrangement for your Lordship's consideration.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) H. G. SMITH.

Encl. 1 in No. 13.

Enclosure 1 in No. 13.

SIR,

Colonial Office, Natal, July 20, 1848.

WITH reference to your letter of the 23d July, 1847, No. 65, stating for the information of the Lieutenant-Governor, that a Despatch had been received from the Secretary of State, dated 10th March, 1847, in which his Lordship signifies his approval of his Honour's proposal that an allowance of 50*l.* per annum shall be paid to a missionary in each native location, until superintendents can be appointed, I am directed by the Lieutenant-Governor to

* Page 101. Papers relative to Natal; presented by Command, July, 1848.

transmit for the information of his Excellency the Governor, copy of an application made on the subject by the Superintendent of the Wesleyan Missions, together with his Honour's reply, signifying his intention to assign the said allowance to one missionary within each location, as soon as the native locations have been finally fixed.

I am also directed to state, with reference to Earl Grey's Despatch of the 10th December,* 1847, No. 46, in which his Lordship states "it is highly important, therefore, that the schools should be encouraged as much as possible, and that the schools should be of an industrial character, &c., that his Honour has already assigned from the 1st July next, the said allowance of 50*l.* per annum to the Rev. Mr. Allison, under the circumstances more fully detailed in the enclosed letters from Mr. Allison, dated the 29th May, and from Mr. Shaw, dated the 27th June, together with his Honour's replies to both the said letters, dated the 30th May and 27th June last.

The Honourable the Secretary to Government,
Cape of Good Hope.

I have, &c.,
(Signed) D. MOODIE.

NATAL.	
June 27, 1848.	1.
June 27, 1848.	2.
	3.
	4.
	5 and 6.

Enclosure 2 in No. 13.

Encl. 2 in No. 13.

SIR,

Pieter Maritzberg, June 27, 1848.

REFERRING to your letter addressed to Rev. W. J. Davies, dated December 21, 1846, wherein you communicate the fact that his Honour the Lieutenant-Governor had recommended to Her Majesty's Secretary of State for the Colonies, that the sum of 50*l.* per annum should be appropriated from the Government Revenue in aid of each mission on the native locations, for the object and reasons therein assigned, I beg leave to inquire, whether there is now any probability that his Honour's considerate proposal will be carried into effect.

I avail myself also of the opportunity of requesting you to bring under his Honour's notice, that an annual grant of the same amount for similar purposes might with advantage and propriety be made to those missionaries residing in any of the towns of the colony, who collect congregations and establish schools for the religious instruction of the native tribes.

Before any regulations are made with regard to the annual grant of money from the public Treasury of the district of Natal, in aid of any ecclesiastical establishments whatever, it is hoped that the just claims of the several religious denominations, now existing in the colony, will be considered; for as any provision made by the Government for ecclesiastical purposes must be paid out of the public Treasury towards which all contribute, it would seem reasonable that all should participate on fair and equal terms. I am not desirous of intruding upon his Honour's attention, a discussion of the subject of the propriety, or otherwise of a Government provision for religious purposes, in this colony, but I trust it will not be deemed indecorous for me at this juncture to express an earnest hope, that in arranging this matter in this new colony, all may be alike favoured on some just and equitable principle, or otherwise, that none may receive any assistance at all, in either case, I should for myself be perfectly satisfied.

I have, &c.,
(Signed) W. SHAW.

Enclosure 3 in No. 13.

Encl. 3 in No. 13.

SIR

Colonial Office, Natal, June 27, 1848.

I AM directed by the Lieutenant-Governor to inform you in reply to your letter of this date, that as soon as the several native locations have been finally fixed, he will be prepared to assign to one missionary in each native location in this district, until superintendents can be appointed, the sum of 50*l.* annually, in the hope of thereby securing the assistance indicated generally in the last paragraph of my letter to the Rev. Mr. Davies, of the 21st December, 1846, and to which you have referred; but that he is not prepared to make annual grants to missionaries residing within any of the towns of the district.

With regard to the general views contained in your letter, as to public provision in this district for ecclesiastical purposes, his Honour is inclined individually to subscribe to your opinion that such provision should be made without any distinction of denomination, but directs me to remark, that in the present state of the finances of the district, it would be premature to determine what course may be pursued, should the Government be hereafter called upon to grant aid for purposes purely ecclesiastical.

The Rev. William Shaw, Pieter Maritzberg,
&c. &c. &c.

I have, &c.,
(Signed) D. MOODIE.

Enclosure 4 in No. 13.

To his Honour MARTIN WEST, Esq., Lieut.-Governor of Natal, May 29, 1848.

Encl. 4 in No. 13.

SIR,

I HAVE presumed to address this letter to your Honour on the civilization of the numerous native population in this country, a subject I know your Honour is deeply interested in, as well as every intelligent individual in the colony of Natal.

I beg leave to state, for the information of your Honour, that I have been engaged 16 years

NATAL.

in the important work of evangelizing and civilizing the heathens of South Africa, viz., in the Griqua tribes, four years; with the Mantalee nation, eight years; with the Bechuanas, one year; with the Acorazevasi nation, two years; at Natal, one year and eight months. In each of the above-named tribes it has pleased Almighty God to crown my labours with considerable success.

The means I have used have been, first, the preaching and enforcing of the great principles of the Bible without any dogmas whatever; secondly, I have endeavoured to supply, as far as my private means have enabled me to do, what I may term the defective part of modern missionary enterprise, viz., teaching the mechanical arts to the natives, who have embraced Christianity in order to their complete civilization.

In prosecuting this plan I have taken native youths into my family, and by thus entirely detaching them from the blighting and counteracting influences of their heathen relatives, the results have been most gratifying. Civilized habits have proved to be to those Christianized what the strong enclosure is to the cultivated garden.

The fruits of my labours are, to a great extent, scattered over the various scenes of my missionary operations in interior Africa. I shall, therefore, confine myself to stating facts connected with the Natal mission in which I am now labouring, and which is within the sphere of your Honour's observation.

I have, your Honour, on the River Lofin, 30 miles south of Pieter Maritzberg, a village built after the manner of Europeans by the natives under my pastoral care; I have also a Christian church there consisting of 103 members; I have 23 native youths residing in my family, to whom I devote my special attention, giving them daily instruction in religion, the arts, agriculture, &c. Mrs. Allison conducts a girls' school of industry, consisting of 32 native girls, who are taught with a view to their becoming suitable wives to the youths above-named. Youths instructed by myself in the far interior have just completed the erection of one of the last dwelling-houses in Pieter Maritzberg; there are, moreover, 10 native teachers of religion now labouring in various parts of the Natal colony, who were formerly boys trained in my family, and whose labours have been already blessed to their fellow-countrymen. Now, your Honour, this very success has led me into difficulties. My establishment has become too large for the means at my disposal. I know the Cape colony abounds with benevolent individuals, and I intend making an application to them for aid to enable me to carry out my plans in the extension of this godly undertaking; and I write this letter to your Honour, humbly to solicit an expression of your Honour's sentiments, as to the correctness of my statements, that such individuals may be assured the object proposed is in every way worthy of this philanthropic support.

I am, &c.,
(Signed) J. ALLISON, Wesleyan Missionary.

Encl. 5 in No. 13.

Enclosure 5 in No. 13.

SIR,

Pieter Maritzberg, June 27, 1848.

I HAVE the honour to request you will be pleased to bring under the notice of his Honour the Lieutenant-Governor the circumstances of difficulty in which the Wesleyan mission among the natives residing at the Indaleni is placed, in consequence of the mission buildings having been erected upon land, to which, it appears, Mr. Gert Rudolph has some pretension or title.

I believe you are aware that Mr. Allison has commenced, and is desirous of continuing a "Manual Labour School," for training young people of both sexes belonging to the native tribes, at the place referred to; his plans and proposals having been submitted to us, he has received the official sanction of the Society to the continuance of the school, on certain conditions, which have been agreed upon.

One of the necessary conditions is, that not less than 50*l.* per annum can be obtained from the Natal Government, in aid of an object so important in its bearing on the general education and welfare of the natives within this settlement.

It will, however, be obvious to you, that unless some arrangement can be made by a grant of land to Mr. Rudolph, or otherwise, so as that he may be induced to relinquish his claim in favour of the Society, it will be impossible for us to expend any more money in the erection of the requisite buildings on the place, or even to continue Mr. Allison on that station, since it can hardly be expected that the Society should erect buildings on lands to which it possesses no title. If the form in question can, by any arrangement which may occur to his Honour, be secured for this object, together with a moderate extension on the adjacent Government and unappropriated lands, so that a native population of 1500 or 2000 people may be located thereon, we think, in this case, that our Society will be favourable to the continuance of that mission, including the Manual Labour School, as proposed by Mr. Allison.

The Lieutenant-Governor having been pleased to communicate to Mr. Allison the favourable opinion entertained by his Honour of the projected institution, I trust you will excuse my urging as early a settlement of this business as circumstances will allow, should his Honour deem it practicable to effect any arrangement of the nature referred to above; as until the Lieutenant-Governor's decision hereupon is made known to us, Mr. Allison's labours will be much checked and hindered, and the buildings must of necessity be delayed.

The Hon. D. Moodie, Esq.,
Secretary to Government.

I have, &c.,
(Signed) W. SHAW.

Enclosure 6 in No. 13.

NATAL.

Encl. 6 in No. 13.

SIR,

Colonial Office, Natal, May 30, 1848.

I AM directed by the Lieutenant-Governor to acknowledge the receipt of your letter of yesterday's date, detailing your proceedings in evangelizing and civilizing the heathen in various parts of South Africa during the last 16 years; the success which has attended your labours, the consequent increase of your establishment beyond the means at your disposal, your intention to apply to benevolent individuals for the necessary aid, and your request that his Honour would express his sentiments as to the correctness of your statements, in order, "that such individuals may be assured the object proposed is in every way worthy of their philanthropic support."

I am to inform, in reply, that from the very striking results of your labours in this district, the Lieutenant-Governor has no doubt they have been equally successful elsewhere, and that the most beneficial results will continue to attend exertions so well directed as yours and those of Mrs. Allison in the instruction of youth, both in religion and in the industrious arts, and more especially in your system of settling the natives whom you have instructed, after they are married, in civilized villages, where their subsistence depends upon the industry you have so well directed, and where there is every prospect that they are not likely to relapse, as is too frequently the case, into the barbarous habits from which they have been weaned.

With these sentiments, upon the merits of your exertions, I need hardly add, that his Honour has much pleasure in thus expressing them, in further informing you, that he will be prepared to give the most favourable consideration to any application you may deem it expedient to make, for aid from the public revenues, towards the furtherance of a system of instruction from which practical results of the highest public importance may be reasonably anticipated.

The Rev. J. Allison, Wesleyan Missionary.

I have, &c.,
(Signed) D. MOODIE.

Enclosure 7 in No. 13.

Encl. 7 in No. 13.

SIR,

Colonial Office, Natal, June 27, 1848.

I AM directed by the Lieutenant-Governor to inform you, with reference to your letter of this date, upon the subject of the institution established by Mr. Allison, that as his Honour is fully satisfied of the importance of such institutions, and especially of schools of an industrial character, he will be prepared to assign to Mr. Allison, in support of his school, the sum of 50*l.* per annum from the 1st day of July next, being the lowest sum which you state to be necessary for the purpose, and the sum also which his Honour had proposed to assign for the encouragement of missions with native locations until superintendents could be appointed.

With regard to the claim which is stated to have been advanced to the land upon which Mr. Allison's establishment has been placed, I am directed to inform you that this question will be referred to the Commission appointed under the Proclamation of the 10th February, 1848, to investigate all claims to land, and to suggest sites of native locations.

The Rev. William Shaw, Pieter Maritzberg.

I have, &c.,
(Signed) D. MOODIE.

(No. 155.)

No. 14.

No. 14.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to Earl GREY.

Answered Dec. 27,
1848, No. 240, p. 90.

Camp, Winberg, North of the Great Orange River,
September 10, 1848.

MY LORD,

(Received December 14, 1848.)

I HAVE the honour and gratification to report, that the rebellion in this sovereignty, which had attained, I admit, to a greater height than was at first anticipated, has been most completely and thoroughly suppressed by the affair of "Boom Plaats;" in which I have subsequently ascertained the loss of the insurgents in killed and wounded, in the total rout of these misguided men, was far greater than previously reported to your Lordship. The example afforded to the rebellious by the execution of two of their number at Bloem Fontien on the 4th instant, has also done much to put an end to this disturbance. These men were tried by a general court-martial, with every legal formality; the sentence awarded was inflicted within a few hours; and it has struck terror into the hearts of the disaffected, and has shown to the well-disposed the power of the law.

2. Without troubling your Lordship with any voluminous detail, I enclose the documents numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, which so clearly set forth concurrent events, and the measures I have adopted, that I hope you will thus be put in possession of the whole.

NATAL.

3. I am happy in being able to state that the number of the well-disposed exceeds that of the disaffected in the proportion of nine in ten. It may be asked, Why then did they not resist the rebels? The reply is, the traitor Pretorius, who possesses ability, great cunning, and the tact to assume authority over a scattered population, unusual in a man of his limited education, brought with him from beyond the Vaal River, about 200 persons of ruined character, as a nucleus; and by sending parties to the scattered farm-houses, compelled the young and the able to join him, keeping them afterwards with him under a constant and peculiar surveillance. The manner in which they fled from a disaster, shows their readiness to abandon a cause which they were unwillingly brought to espouse. Of this I have had so many assurances since my arrival at this camp, from young men, accompanied by their parents, coming to lay down their arms, and take the oath of allegiance, that the fact becomes indisputable.

4. An outbreak of this kind will not again occur, as I shall construct a small, but tenable redoubt at "Bloem Fontien," armed with four iron 9-pounder guns; which will not only serve as a defence, but will have the moral effect of deterring the Boers from any attempt to interrupt in future the British resident. I shall leave also for the present two companies of the 45th Regiment, one company of the Cape Corps, and a detachment of Sappers and Miners, and artillery, with three field guns; and this military post, one which was previously established by Sir Peregrine Maitland, and which I had reduced in numbers as it now appears very imprudently, is the only one throughout the territory, or in support upon the immediate frontier of the colony, which I consider it necessary to maintain. It will be supplied with provisions at a reasonable rate. All other detachments of corps will march back to the eastern frontier, under the able command of that valuable officer, Lieut.-Colonel Buller, who is fast recovering from his wound.

5. I shall lose no time in repairing to the seat of Government, *via* the district of "Albert," the military villages, British Kafraria, and Graham's Town.

6. The expense attending this movement of about 1000 men of all descriptions, will consist in transport alone. Everything, I do assure your Lordship, has been conducted upon principles of the strictest economy; and I hope not only to be able to make the rebels pay the full amount, but that some surplus may remain, to indemnify for their losses many sufferers by this scourge and curse of war.

* See page 62.

7. All the great native chiefs were present at the meeting of yesterday, the proceedings of which are enclosed,* and I beg again to draw your Lordship's marked attention to their late faithful conduct, during a period of some weeks, when they were apparently abandoned to their fate by the temporary though sweeping success of Pretorius; who, by every kind of duplicity and intimidation, endeavoured to lead them from their faith towards, and reliance upon the protection of, Her Majesty. The Chief Moshesh is really a wonderful man; but I cannot induce him to embrace Christianity. The conduct of the great Chief Marokko, and of the Griqua Chiefs, Adam Kok and Waterboer, has been most exemplary.

8. By the quelling of this rebellion, a large community of British subjects, instead of being permitted to fall into barbarism, and thus become fearful enemies upon our frontier, will now be brought under the influence of religion and law—the natives, of whose territory the emigrants have become possessed by means which will not bear too minute an inquiry, will be protected, and the inhabitants of the colony generally, will regard the exertions made to preserve order and tranquillity as having been as decided, as the means at the disposal of the Executive have shown themselves to be irresistible.

9. This event will moreover tend to tranquillize the well disposed, and put down the disaffected, in the district of Natal, and restore to it its emigrant population; for I have sent, as set forth in my public proceedings, peremptory orders for the return of these unfortunate men, whom the arch-rebel Pretorius induced to abandon their homes under imaginary grievances, solely to aid him in the ambitious views which he entertained, of making himself paramount in this territory.

10. It will also prove to the disaffected in that district as well as to the Chief Panda, that when the exercise of power was called for, I had disposable troops to send into their vicinity.

11. I cannot conclude this Despatch without once more attracting your Lordship's favorable regard and attention to the services rendered by the detachments of Her Majesty's soldiers, who were brought from so great a distance. Their marches have been long; they have encountered storms; and frequently had unfordable rivers to contend with; and they have beaten an enemy, posted in a position almost inaccessible. All are at this moment in high spirits; and so excellent is this climate, they have not a sick man among them. Both officers and men have been as zealous in the performance of all duties, whether of honour or of fatigue, as acquires for them the already established renown of a British soldier.

The Right Hon. Earl Grey.
&c. &c. &c.

I have, &c.,
(Signed) H. G. SMITH.

I beg to draw your Lordship's particular attention to the enclosed copies of letters from Pretorius, showing as they do so clearly the ambitious motives which actuated the rebel.

LIST of ENCLOSURES in Sir H. SMITH'S DESPATCH to Earl GREY, No. 155, dated
10th September, 1848.

Encl. 1 in No. 14.

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Enclosure 1 in No. 14.

PROCLAMATION

By his Excellency Lieutenant-General Sir Henry George Wakelyn Smith, Baronet, Knight Grand Cross of the Most Honourable Military Order of the Bath, Colonel of the Second Battalion of the Rifle Brigade, Governor and Commander-in-Chief of the Settlement of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-Admiral of the same; and Her Majesty's High Commissioner for the settling and adjustment of the Affairs of the Territories in Southern Africa, adjacent and contiguous to the Eastern and North-Eastern Frontier of the said Colony, &c., &c., &c.

WHEREAS the wicked rebellion, excited and fomented by one Andries Wilhelmus Jacobus Pretorius, has been effectually put down by force of Her Majesty's arms at "Booms Plaats," where the rebels dared to dispute the passage of Her Majesty's troops, thereby causing a conflict in which 49 burghers were left dead upon the field, upwards of 150 wounded, and the remainder, many of them leaving behind their horses, arms, and clothing, dispersed and put to flight in every direction; and the insult offered to Her Majesty's authority having been thus avenged, as was declared in my Manifesto of the 29th of March last such act should be; and whereas the extreme penalty of the law—Death—was carried into execution at Bloem Fontein, on the morning of the 4th September, upon the bodies of certain rebels, viz., Thomas Dreyer, burgher, and Michael Quigling, a deserter from Her Majesty's service; and whereas I have this day arrived at Winberg with a body of troops, to enforce rule and obedience to the commands of Her Majesty the Queen of England; and whereas, on the 3rd February last, I did proclaim the sovereignty of Her Majesty over the territory from the Orange River north to the Vaal River, which a band of rebels has ventured to oppose; I now re-proclaim that sovereignty, under a royal salute of 21 guns, having by force of arms dispersed these rebels.

And for the better and more efficient government of the territory to the east and north of the Great Orange River, over which Her Majesty's authority has been extended, I do hereby proclaim and declare that tract of country situated between the Sand River and the Vaal River, and bounded towards the south by the Draakberg Mountains, to be constituted a fourth district of the Sovereignty aforesaid.

Thus there will be—

1. The district of Bloem Fontein, under the British Resident, Major Warden.
2. The district of Caledon, to which I have appointed Thomas Vowe, Esq., Civil Commissioner and Magistrate.
3. The district of Winberg, comprising the territory extending from the Bloem Fontein district to the Sand River, and up to the Draakberg Mountains, to which I appoint, pending my further decision, Frederick Rex, Esq., Civil Commissioner and Magistrate.

NATAL.

4. The district of Vaal River, to which I appoint as landdrost that peace-loving and well-disposed burgher, Hendrik Potgieter, who will select and nominate his field commandants and field cornets, and will be held responsible to me duly to observe obedience and good faith towards Her Majesty and the authority in me vested. And the salary of the landdrost, and the amount of quit rents, which will be trifling, shall be hereafter determined, when I see Mynheer Potgieter and other influential men.

And whereas these rebels did commit various wanton acts, and did also wickedly pillage many houses, the property of well-disposed persons at Winburg, I hereby proclaim that I shall appoint a Commissioner, to levy such fines upon those who took part in the rebellion, as shall not only aid in defraying the expenses entailed upon Government by this wicked war, but indemnify the good men for their losses, who suffered by the acts of the evil; and I will banish from the district of Winberg all rebels and disturbers of the peace, and will confiscate their property, with the exception of Mynheer PAUL BESTER, of the Winberg district, and Mynheer GERT KREIGER, of the district of Vaal River, to whom I extend Her Majesty's gracious pardon. These men, although they wickedly turned out, did endeavour to restrain the acts of violence and bloodshed of that arch-rebel Pretorius.

And I hereby make known, that all marriages heretofore contracted in the district of Winburg, and not recorded as set forth in my Proclamation, are illegal; and the offspring thereof can inherit no property within the colony.

And I hereby prohibit all public meetings, and I hold any one guilty of felony who shall endeavour to convene any; and, if they attempt to do so, I have posted at Bloem Fontein a large force of guns, cavalry, and infantry, to suppress the same by force of arms; and I will construct such a fortification at Bloem Fontein, well defended by cannon, as shall ensure its safety during the absence of the troops in the field.

And whereas it appears that the post, established for public convenience and utility, between Winberg and Natal, has been interfered with, and letters opened, I do hereby make known, that any person who shall interrupt the same shall be guilty of felony.

And I do likewise make known, that any person who shall disseminate any papers or documents of a treasonable nature, or shall connive at their dissemination, or shall hold any intercourse with Pretorius, Jacobs, and others proscribed, shall be guilty of felony.

And having, in my Proclamation of the 2nd Sept., offered the sum of 500*l.* for the apprehension of one WILLEM JACOBS, I now double that sum; and I hereby offer the like sum for the apprehension of one ANDRIES SPIES, a notorious rebel; and 500*l.* for FREDERICK BEZUIDENHOUT.

And I do hereby offer a reward of 500*l.* for ADRIAN STANDERS, and do now make known his conduct to the world, affording as it does an ample example of the state of society beyond the Orange River. This man was living in intimacy with, and close to, Mr. Erwee, a most respectable farmer; he was even very lately at the funeral of one of Mr. Erwee's sons. Scarcely had the outbreak commenced, when he seized his neighbour's property as his own; another rebel, of the name of Jacobus Meyer, at the same time taking possession of Bloem Fontein, and actually ploughing Major Warden's field. Such instances of a total ignorance of the rights of man must be blazoned forth. The desire of plunder, not a feeling of patriotism, actuates the rebel, by whom private property is neither respected nor regarded.

And I hereby proclaim, that the information which led me to impute to Mynheer Krynaau the heinous crime of having been one of the first to order the rebels to fire, proving to be false, he having left the rebel camp, I do absolve him of the same.

And I hereby proclaim my marked approbation of the conduct of Mynheer Gert Hendrik Meyer, Wessels, and their party at Winberg, who manfully and gallantly formed themselves into a camp near Winberg, and did resist and repel any attempt made by the rebels upon them; and also of that of Field-Commandant Sneyman, of the Caledon River, who, with upwards of 500 families, did the same, as likewise of that of Mr. Erwee, Field-Commandant Erasmus, and Field-Cornet Cloete, and Field-Cornet M. Overalster and their people, all of whom have, by thus uniting themselves, preserved the greater part of their flocks and herds from robbers; and I will not omit to make such meritorious conduct towards rebels against Her Majesty's authority, and oppressors of their fellow-subjects, known to the Queen. I also highly applaud the conduct of Mynheer Potgieter, in consideration of which I have appointed him Landdrost.

My Manifesto is now verified, and I hereby desire all the inhabitants of the Natal district to return to their homes. If they neglect this warning, and do not do so, they had better look after their herds and cattle, lest I sweep them off.

These are the outlines of my proceedings pending further information; and I annex hereunder my Proclamation of the 2nd September at Bloem Fontein; that all may know that, however desirous I am and have always proved myself to be, for the welfare of the Dutch community, insult to Her Majesty's authority is, and ever shall be, avenged.

GOD SAVE THE QUEEN!

Given under my hand and seal at Winberg, this 7th day of September, 1848.

(Signed) H. G. SMITH.

By order of his Excellency, Her Majesty's High Commissioner,

(Signed) RICHARD SOUTHEY, Secretary.

Enclosure 2 in No. 14.

NATAL.

Encl. 2 in No. 14.

PROCLAMATION

By his Excellency Lieutenant-General Sir Henry George Wakelyn Smith, Baronet, Knight Grand Cross of the most Honourable Order of the Bath, Colonel of the Second Battalion of the Rifle Brigade, Governor and Commander-in-Chief of the Settlement of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, and Ordinary, and Vice-Admiral of the same; and Her Majesty's High Commissioner for the settling and adjustment of the affairs of the Territories in Southern Africa, adjacent and contiguous to the Eastern and North-Eastern Frontier of the said Colony, &c. &c.

WHEREAS a wicked rebellion was created and fomented by one ANDRIES WILHELMUS JACOBUS PRETORIUS, now proscribed as a rebel, and for whose apprehension a reward of 1000*l.* has been offered, and the sum of 500*l.* for that of one WILLEM JACOBS, the aforesaid Pretorius proclaiming to the country at large that now was the time to be what he terms "free," viz., the permitted oppressors of their fellow-countrymen, as well as of the natives; and that he would deliver this sovereignty of that British rule which the good men had sought, and for which they had petitioned Government, and then proceeded to do the same at Natal; through which rebellion the British Resident was compelled by an armed force to abandon his position at Bloem Fontein, where he was posted to carry out the commands and obey the orders of Her Majesty, or of Her representative: And whereas, when I was marching a body of Her Majesty's troops to avenge this insult, and to quell this wicked rebellion, which had rendered this land, previously flourishing and happy, a scene of devastation and abandonment—driving well disposed men, their wives, children, and herds, into mountain fastnesses, &c., to seek protection and safety—I was opposed by nearly 1000 rebels under the command of this arch-traitor Pretorius, endeavouring by an ambuscade to interrupt my passage, but of which I was in good time aware; by which opposition several of Her Majesty's officers and soldiers were killed and wounded, 49 of the rebels having been, however, counted dead upon the field, 12 killed in one place by a round shot, and their loss in wounded, in arms, and horses, &c., being also considerable; it now remains, the insult to Her Majesty's authority having been thus fully avenged by force of arms, for the full vigour of the law to have its effect: and having this day arrived at Bloem Fontein, with a body of Her Majesty's troops for this purpose, I hereby, in virtue of the authority in me vested, do make known to all Her Majesty's subjects who shall be proved to be guilty of rebellion by having joined the rebels in arms under this Pretorius, that their property is confiscated; and I further make known to all those Her Majesty's subjects who have aided or abetted these rebels by furnishing them with horses, provisions, or transport, that they are and shall be subject to such fine as shall be imposed upon them, after the investigation of a Commission which shall be appointed for the purpose of obtaining information and awarding such fine.

And I hereby proclaim to every rebel, and aider in rebellion, that I have directed the seizure of all monies and properties which he may possess within the colony, pending a legal process, or the receipt of Her Majesty's commands.

And I hereby proclaim and make known the satisfaction which I derive, and which I will truly and faithfully represent to Her Majesty the Queen of England, from the conduct of the majority of the householders of the Dutch Christian inhabitants, whose welfare I have so much at heart, as well as of all the native tribes within the Sovereignty aforesaid, viz., Moshesh, Moroko, Molitsani, Sikonyela, Lepuis; and the Griqua chiefs Waterboer, Kaptyn Adam Kok, Cornelius Kok, Jan Bloem, &c., who, although tampered with by the arch-rebel Pretorius, who, by means of falsehood and fraud, endeavoured to convince them that their cause was abandoned by Her Majesty, nevertheless remained unshaken in their faith and firm reliance on the resolve of Her Majesty's representative to march immediately to their protection.

And I hereby proclaim and make known the abhorrence with which I regard the acts of these rebels, who have driven by intimidation from their homes the honest and industrious householders, burned their doors and windows, and seized their horses, cattle, meal, and other property.

And I hereby make known, that so soon as sums shall have been raised to defray the expenses incurred by Government in putting down this wicked rebellion, I will endeavour so to manage the funds of the Sovereignty in question, that those who have been great losers by the acts of the rebels, and have remained faithful in their allegiance to Her Majesty, shall at some future time receive all the indemnification such funds can afford.

And I do now proclaim and offer a reward of 1000*l.*, in addition to the 1000*l.* already offered, for the apprehension of the rebel ANDRIES WILHELMUS JACOBUS PRETORIUS, and the 1000*l.* for any information which may lead to his apprehension. And I hereby confiscate any property he may have title to within the rule of Her Majesty. And, as it appears that one ANDRIES SPIES, and one JAN KRYMAAN, (the latter of whom did within the last few weeks petition me to absolve him from a previous outlawry,) are the persons among the rebels who, on the 29th August, at "Boem Plaats," ordered them first to fire, and were thereby the immediate cause of shedding the blood of Her Majesty's troops, who had my positive orders not to fire until fired upon, which order they strictly obeyed; I do hereby offer a reward of 500*l.* sterling for the apprehension and delivering into the hands of any of Her Majesty's officers, civil or military, of each of these offenders, and a like sum of 500*l.* for that of Louw PRETORIUS, of the Caledon River, the great disturber of the quiet of that district.

And I hereby proclaim and make known, that the crime of rebellion, and bearing arms

K

NATAL.

against Her Majesty's authority, having been fully proved to me against the under-mentioned persons, I hereby confiscate their property, viz., JAN KRYMAAN, LOUW PRETORIUS, FREDERICK OTTO, JAN JACOBS, PHILIP VAN COLLAR, JAN VILJOEN, ADRIAAN STANDERS, and their farms shall be offered for sale.

And whereas it has been fully proved to me that the under-mentioned individuals have aided, abetted, and assisted the rebel cause, I hereby award the following fines to be levied on them (or their persons apprehended), to aid in defraying the expenses of this wicked rebellion, and the indemnification of individual sufferers thereby :—

OKKER JACOBUS VAN SCHALKWYK, 200*l.* (two hundred).

PIET LOUW, 150*l.* (one hundred and fifty).

ROELOF GROBBELAAR, 50*l.* (fifty).

CHRISTOFFEL SNYMAN, 100*l.* (one hundred).

JAN BOTER, 150*l.* (one hundred and fifty).

And I hereby desire all families to return to their houses, and all fathers, whose sons (or relatives) being minors were in the field with the rebels, to bring me their arms; or the said parents shall be held responsible. Many have already brought them.

These are the first arrangements for the districts of Bloem Fontein and Caledon. I shall proceed without delay to Winburg, to carry out the declarations contained in my Manifesto of the 29th day of March last.

GOD SAVE THE QUEEN!

Given under my hand and seal, at Bloem Fontein, this 2nd day of September, 1848.

(Signed) H. G. SMITH, Governor, and High Commissioner.

By order of his Excellency Her Majesty's High Commissioner,

(Signed) RICHARD SOUTHEY, Secretary.

Encl. 3 in No. 14.

Enclosure 3 in No. 14.

Camp, Winberg, September 8, 1848.

RICHARD SOUTHEY, Esquire, Secretary to Her Majesty's High Commissioner, will remain in the sovereignty north of the Orange River, on private and confidential duty, connected with the Commissioners, of which he will be President-in-Chief, herein appointed for the purpose of selling confiscated property, and levying fines, to be imposed on those who fired upon Her Majesty's soldiers on the 29th ultimo, at Boem Plaats, or who were embodied with the rebels, for the purpose of defraying the expenses of this wicked war; and, ultimately, if the funds prove equal to it, of indemnifying for their losses the sufferers who have been driven from their homes.

The sums awarded are to be forthwith levied, or the person secured, and the fire-arms delivered up.

The most accurate and detailed accounts, with receipts and vouchers, are to be transmitted to his Excellency the High Commissioner; and all monies are to be lodged in the hands of the chief commissariat officer at head quarters, the Commander-in-Chief issuing a warrant for the same.

Mr. Southey will also see the basis of every system, directed by the High Commissioner to be carried out for the future rule of the sovereignty, well laid down and understood.

Commission for the Bloem Fontein District.

Major Warden, Mr. Alison, Field-Commandant Erasmus, and Mr. Erwee.

For the Caledon District.

Thomas Vowe, Esq., Mr. Anthony O'Reilly, Field-Commandant Snyman, and Mr. Hermanus Wessels.

For the Winberg District.

Frederick Rex, Esq., Mr. Dyason, Mr. Wessels, and Mr. Meyer.

(Signed) H. G. SMITH, Governor and High Commissioner.

Winberg, September 9, 1848.

MINUTES of the proceedings of a meeting convened by his Excellency the Governor of the Colony of the Cape of Good Hope and High Commissioner, at which were present the Governor, the Chiefs Moshesh, Morokko, Molitsani, and Carolus Batju; also the leading and influential burghers, or their representatives, of the Caledon and Bloem Fontein Districts, and the burghers of the district of Winberg, viz., that tract of territory extending from the Bloem Fontein District to the westward, north of the Vaal River, eastward to the high ground between the Sand and Vaalsch Rivers, and to the Draakberg Mountains to the south. Present of the burghers of the Winburg District, upwards of 150; and Mr. Paul Bester was deputed to answer for some hundreds of the Vaal River, the distance preventing them from attending.

The meeting was opened by the Governor.

His Excellency said: "Gentlemen, in January last you invited me among you, and proposed that I should establish a government for you, as you regarded yourselves as British subjects. It was impossible for me to do so, this territory not being annexed as part of the colony, without proclaiming it to be under the sovereignty of Her Majesty. I consulted your leading men, with the chiefs Moshesh, Morokko, Molitsani, Sinkonyella, Jan Bloem, Adam Kok, Carolus Batju, and several others; all prayed me to do what you know I have done, as set forth in my Proclamations of the 3rd February and 8th March last; after which, wicked agitators

attempted to interrupt the progressing harmony; and I issued my Manifesto of the 29th March last; notwithstanding which a wicked rebellion was excited, and which has been put down by force of arms, as you well know, and as is set forth in my Proclamations of the 2nd September, issued at Bloem Fontein, and of the 7th September, issued at Winburg, under a royal salute of 21 guns at each place.

"The wicked agitator of this rebellion daring to conceive that he could wage war against all-powerful England, tampered with the great chiefs now present to induce them to join him—against whom? Yourselves! To rob you of your flocks and herds; take away the doors and windows from your houses, as he has done, and drive your wives and families into the fields. They condemned the acts of this villain Pretorius, and firmly adhered to their alliance with Her Majesty, and obedience to the sovereignty proclaimed. These chiefs are in full amity and friendship with the remote chief Panda, but if they were not so, they defy his power. Is it not so, Moshesh, Morokko, Molitsani, and you other chiefs?

[Moshesh here replied, that Panda and he were as brothers; that everything they had was at each other's service.]

"Now, gentlemen, this insult to Her Majesty's authority has been most fully avenged by me and Her Majesty's soldiers, of whom you see I have plenty, and can bring them in a few days here, as set forth in my Manifesto; and by the ignominious death of two rebels at Bloem Fontein, on the very spot where the rebel Pretorius insulted Her Majesty's authority. I only regret that he himself was not one of them; on whose head is all the blood and misery he has caused.

"The districts of Bloem Fontein and Caledon were flourishing and most happy, repeatedly assuring me I could do no more than I had done for their welfare. They themselves could propose nothing to improve my measures.

"In Winberg disunion existed; and the district being in my opinion too large, I have now formed a portion of it into a fourth division, or the Vaal River district, under a landdrost, a highly respected man among yourselves.

"As you called me in January to form a Government for you, which I did, and which was insulted; which insult I have avenged; I call you together to declare your sentiments, and whether you are prepared to protect your magistrate from insult if I leave him at your desire with you; always bearing in mind that a strong post is now established at Bloem Fontein, of cannon, cavalry, and infantry, ready to move to your support.

"Let me have your well-considered opinion; take your time, and let those who wish for the magistrate hold up their hands.

[The whole meeting here held up their hands.]

"No power but Her Majesty shall induce me to make any alterations in the Bloem Fontein and Caledon districts, because the arrangements there are what 9 persons in 10 desire. I have been even told that 19 in 20 wish for them.

"You wish, then, for a magistrate, and will protect him. I will, therefore, leave you one. Mr. Biddulph having been wounded, Mr. Rex shall perform his duties until he is well.

"Gentlemen of Winberg,—always bearing in mind that you have promised to protect your magistrate, you will understand that there is not to be a post left at Winberg, but that there will be a strong one at Bloem Fontein; strong enough to resist even French soldiers—to support you; and, in case of need, if a man is sent off for assistance, the troops will be with you in three days.

"I now wish to know how many men there are to be depended on in each district.

[In the Bloem Fontein district, Field Commandant Erasmus answered for 400 men, Field Cornet Cloete for 300; Field Cornet Overalster for 250; and Mr. Erwee answered, in the name of Field-Commandant Sneyman, for 450 in the Caledon district; total 1400 men, all armed and able-bodied.]

"Thus there are 1400 men well disposed to Government in these two districts alone; and yet Pretorius dared to come with 800 or 1000 men, most of them boys, or brought from a great distance, having nothing to do with this part of the country, and to tell me that the whole land was against Government.

"These 1400 men are ready to support the people of Winberg, aided by the post at Bloem Fontein. It must look to them for their assistance; and they must look to it when they want help.

"Are you satisfied with your land being measured out to you as at present laid down in my Proclamation of the 8th March? I desire no strict measurement; all I wish is, that each man should know his own, get a land certificate, and be thus enabled to bequeath his property to his children.

[The whole meeting here expressed their satisfaction.]

"Remember that no man is to take any land from any native chief without permission from the said chief, as well as from the Governor.

"Do you desire to have churches and schools? or do you desire to be renegade Christians, and that your children should be as ignorant as the untutored wild man?

[All expressed their anxiety for churches, &c.]

"Are you satisfied with my Marriage Act, which relieves your children and grandchildren from bastardy, and enables them to inherit any property you may have within the colony.

[All expressed their satisfaction.]

NATAL.

"Have you anything to say on the subject of quit-rents? I have before spoken of them as intended to vary from 1*l.* to 8*l.*; but I have already often said, that it does not follow that you are all to pay 8*l.* That is the sum which is not to be exceeded; and many of you will have probably to pay very little; but this will depend on yourselves.

[*The meeting replied that they had nothing to remark on this subject.*]

"These are the leading points of consideration. I am now ready to hear what you may propose in every way; but remember, I leave you to your own resources, supported by the law and by the post at Bloem Fontein. In the colony the half of you served under me when Kafirs invaded the land; and here you must defend yourselves from the robbers from whom I have recently rescued you. What is the difference between a white robber and a black one? Both equally deserve the sentence and the power of the law, and must abide by it.

"Look how manfully have Wessels, Meyer, and their loyal party defended themselves against Pretorius before I smashed his band.

"How many of these misguided men's bones are bleaching on the field of blood and war! How many of them are groaning under the pain of severe wounds! How many, now seeing their error, have brought me their arms, and voluntarily, heart and soul, taken the oath of allegiance to Her Majesty; stating their willingness to contribute towards the expense of the war, as I desire! the brightest example of whom is Field Commandant Bester. He has this day paid 300 rix-dollars to aid in the expenses of the war; he has erred, but is repentant; we have all shaken hands with him, and he shall ever find a faithful friend in me. Kreiger and Krynauw are other instances, and I will bestow watchful care upon them.

"What object have I to form a government for you but your own peace and happiness among yourselves and among the natives, who have, I say, behaved to you most kindly?

"I shall march in two or three days; but I leave behind me my secretary, Mr. Southey, with a body of cavalry, to collect the war tribute; and I now read to you my instructions thereon.

[*The Instructions were here read.*]

"Now, select a field commandant and three or four field cornets, that I may confirm their appointments, and issue their commissions, and that they may take the oath of allegiance.

[*Mr. Marthinus Wessels was here chosen as field commandant, and Mr. Jury Wessels, L. Badenhorst, Jan Shutte, William Ventner, and R. Van Rooyen, as field cornets.*]

"As regards the Vaal River District, under the landdrost Potgieter, I daily expect him, when I shall have much upon which to confer with him, as I have had with you. In the meantime, until his arrival, I appoint a commission to act for him, as landdrost for the Vaal River District, consisting of Piet Venter, Paul Bester.

[*At the suggestions of Mr. Venter and Mr. Bester, Mr. Louw Botha was here named as field commandant for the Vaal River District, and John Dreyer and Hendrik van Vuuren as field cornets.*]

"If Paul Bester will tell me anything that the people at the Vaal River require I will do it.

"I will spare no exertion to do good, and to establish peace, which the troops, you see, will ever effect. And I have this day written to countermand a movement of Her Majesty's soldiers at Natal (whom I had reinforced for the purpose from Cape Town), to be made through the Draakberg Mountains. And I again desire the inhabitants of the Natal District to return to their homes within three months, or all their farms shall be forfeited.

"Now we part with, I hope, a clear understanding that Her Majesty's sovereignty is re-established; and that you are in possession of the Government you seek."

The Chief Moshesh here spoke, and pointed out Mr. Piet Venter, saying: "This is one of the first Boers that came to my country, and I point him out as a good man. At that time I and the Korannas were at war, and one of my brothers was wounded. I asked assistance of Venter, and the people with him, but he referred me to the Colonial Government; and it is to the words he then said, I owe my first knowledge of that Government. I point him out to his Excellency as the man to whom I owe my acquaintance with a Government with which I now stand in such friendly relations. It is owing to Venter that I have now (*pointing to his Excellency*) a Great Chief to look up to. I am not here to day to speak of blood, but of gratitude to the British Government, and to Venter. And I will only add my deep gratitude to his Excellency for all he has done for this land, and to congratulate him on the result of the late disturbance."

His Excellency said: "Great Chief! I thank you for telling me of good done by a countryman. The creed of all good men is, that there is one God over all, white and black. I speak in praise of all you chiefs—Moshesh, Morokko, Molitsani, Carolus Batju, and others. You asked me what you should do in the late affair; I said, 'Sit still!' You did so. I thank you all."

The burghers being now asked if any one wished to speak, Field Commandant Erasmus assured his Excellency that he felt that every word in the Manifesto had been carried out, that he trusted that every one would see that this was the case, and for the future be faithful to Her Majesty. Mr. Paul Bester declared, in the most earnest manner, that he would do everything that lay in his power to preserve order. A great many took the oath of allegiance, fathers bringing in their sons, and many fire arms have been delivered up. The feeling at the meeting, as demonstrated by a few words from many persons, was most satisfactory; and at the conclusion, three cheers for the welfare of Her Majesty resounded through the camp!

JOHN GARVOCK, Major, Private Secretary.

Winberg, September 10, 1848.

NATAL.

UNDER the superintendence and direction of R. Southey, Esq., Secretary to the High Commissioner, Mynheer Piet Venter, Paul Bester, Field Commandant Botha, and the Secretary to the Landdrost, are appointed the Commission for affixing and levying the war tribute in the Vaal District.

(True Copy.) (Signed) H. G. SMITH,
High Commissioner.

(Signed) E. A. HOLDRIK.

Enclosure 4 in No. 14.

Encl. 4 in No. 14.

GENERAL ORDER.

Head Quarters, Bloem Fontein,
September 15, 1848.

1. BEFORE parting with the gallant troops under Lieut.-Colonel Buller, Rifle Brigade, consisting of detachments of the Royal Artillery, Sappers and Miners, 45th and 91st regiments, Rifle Brigade, and Cape Mounted Riflemen, the Commander-in-Chief has the greatest satisfaction and happiness in again recording his high sense of their gallantry as soldiers, of their patient endurance of fatigue in the long and continued marches which they have made, and of their exertions in crossing rivers, and other laborious duties which attach to military operations. His Excellency has served with many troops, but in no campaign has he been associated with more energetic officers and soldiers than those composing these detachments. The thanks of their country are due to Lieut.-Colonel Buller, Major Beckwith who succeeded the former officer in command after his severe wound, and to every officer and soldier, and their merits shall be laid before his Grace the Duke of Wellington, in the hope of attracting the attention of Her Majesty.

2. This record of meritorious services attaches fully to Dr. Hall, Deputy Inspector-General of Hospitals, and to the medical officers generally, whose care of the wounded could not be exceeded; as also to Mr. Deputy Assistant Commissary-General Green, and to his department, for their able exertions, by which the troops have been most regularly supplied.

3. The Commander-in-Chief before leaving Cape Town ordered up a supply of shoes, shirts, and socks for the men, and his Excellency has directed the Deputy Assistant Commissary-General to issue a pair of shoes and socks, and one shirt, to each infantry soldier as a donation.

4. The fort now in progress of construction at Bloem Fontein will be designated the Queen's Fort.

The troops employed in the construction of this field-work will receive working pay at the rate of four-pence a-day. Field-works are generally constructed by the soldiers without pay, but such has been their conduct the Commander-in-Chief cannot avoid this remuneration.

5. The troops to remain at Bloem Fontein are—

Three six pounders, with a detachment of artillery under Lieut. Dyneley. Until further orders the team of white gun horses will be maintained. The team of bay horses will be transferred to the Cape Corps. The team of mules will be returned to the Commissariat. Serjeant Lennox, Royal Artillery, will act as Ordnance storekeeper at the Queen's Fort, and will receive a shilling a-day. It will be advisable to construct a magazine as soon as possible.

Sappers and Miners.

Serjeant Macleod, with four sappers, will accompany the pontoon.

Two companies 45th regiment.

One company Cape Mounted Rifles, to consist of seventy (70) effective men, twenty of whom to be Europeans.

6. All the entrenching and other tools in charge of the Ordnance department will also be left for the construction of huts; for the erection of which, under the direction of Lieut. Inglis, Royal Engineer, the soldiers working will be allowed four-pence a-day.

7. Capt. Blenkinsopp, 45th regiment, will command; he will report upon all general subjects direct to the Commander-in-Chief, and is appointed Commandant of the Queen's Fort, with an allowance of three (3) shillings a day; and Garrison Serjeant Major, with an allowance of one shilling a day.

8. So soon as the Queen's Fort is well in progress, Lieut.-Colonel Buller will make arrangements to march back to their respective stations on the eastern frontier all the detachments of troops, exclusive of those herein directed to remain at Bloem Fontein.

9. The Cape Mounted Rifles will march without delay *via* Colesberg to Albany.

Colonel Buller will take with him the pontoon float.

10. The Deputy Assistant Commissary-General will immediately discharge every waggon not absolutely required, and will reduce every branch of the Commissariat to the lowest effective establishment.

11. The Deputy Inspector-General of Hospitals will make such arrangements for the removal and care of the wounded, as may conduce most to their ease and comfort in travelling, leaving for a period at Colesberg, under a medical officer, those to whom a long march might be injurious.

12. Three months' extraordinary field allowance will be issued, bearing date from the 1st

NATAL.

August last. The staff allowance to Lieut.-Colonel Buller and the Field Adjutant will be continued until the troops reach the district of Albany.

13. Until further orders all communications and reports are to be addressed to the Commander-in-Chief at King William's Town.

By order of his Excellency the Commander-in-Chief,
(Signed) JOHN GARVOCK, Major.

Addendum to General Order of 15th September, 1848.

THE ground around the Queen's Fort, to the distance of 400 yards, becomes Ordnance property; as much as is required for barracks and officers' quarters will be reserved; the remainder may be leased out as Ordnance ground, and the revenue appropriated toward defraying the expenses of the construction of the work.

By Order,
(Signed) J. GARVOCK, Major.

GOVERNMENT NOTICE.

Colonial Office, Cape of Good Hope,
October 4, 1848.

HIS Excellency the Governor has directed the publication of the following documents written by the proclaimed rebel, A. W. J. Pretorius, prior to the action lately fought at Boem Plaats.

By command of his Excellency the Governor,
(Signed) JOHN MONTAGU, Secretary to Government.

Encl. 5 in No. 14.

Enclosure 5 in No. 14:

Winberg, July 12, 1848.

GENERAL NOTICE.

As the emigrant boers who crossed the Orange River, and as we perceive that the British Government grant privileges and liberty to all other creatures, and that we are constantly forced into fetters and banishment,—so this is to inform all those who do not wish to take part with us in this just cause of freedom, that on the receipt of this, or before the 20th inst., they must cross the stream of the Orange River, without selling their places or any ground; for all sales of places will from this date be considered illegal, to prevent the court-martial (Krygsraad) from bringing further punishment upon their persons and property. No person shall be allowed to keep himself neutral; those who are not with us will be considered as enemies; every person who acts against this association, whether with words or deeds, shall be treated as a rebel, and shall forthwith be punished by a court-martial.

This given on the 12th July, in the court-martial at Winberg.

(Signed) A. W. J. PRETORIUS.

(True Translation.)

(Signed)

F. REX, Sworn Translator.

(True Copy.)

(Signed)

JOHN GARVOCK, Major, Private Secretary.

Encl. 6 in No. 14.

Enclosure 6 in No. 14.

MR. JACOBUS SNYMAN.

Bloem Fontein, July 22, 1848.

SIR,

HAVING been informed that there still exists misunderstanding between you and your brother burghers, I consider it my duty as General Chief of all the burghers, and out of old friendship and acquaintance between you and me, I would request of you to cause no further commotion, as I have made a treaty with Captain Warden, and he and all belonging to him have left this on the 20th instant. Now, my dear friend, consider your case—there is a general commotion over the whole world, even in other countries, which are all awake to freedom; and why should you and a few others bring misfortune on yourselves and families? You are a man of understanding. Do you not see that the power of the English no longer exists—that they all leave this because there will be severe war in their own country? Now, I am still your friend; but a single shot would render it impossible for me to rescue you from the hands of your enraged countrymen and brothers. Mr. O'Reilly, the magistrate of the Caledon River district, is also warned under the same treaty to depart, of which I send you a copy. I have a great force with me here; the burghers keep coming in every day, so that I shall certainly have about 1000 men together by the 24th instant, and it will be easier to remove a mountain into the sea than to go against the force or current of freedom. I hope shortly to be with you or in your neighbourhood, and there to speak to you myself. When you shall have received this, I have done my duty before God and the world. If you now make any mischief against your brothers, the responsibility rests with you. I hear the Kafirs of Moshesh are in a

state of commotion. I have also ordered up the Kafirs of Panda. If Moshesh stirs he will bring himself into a five years' war. Expecting an answer,

NATAL.

To de Heer Jacobus Snyman. I am, as always,
Your happiness-seeking friend,
(Signed) A. W. J. PRETORIUS,
Commandant-General.

(True Translation.)
(Signed) F. REX, Sworn Translator.
(True Copy.)
(Signed) JOHN GARVOCK, Major, Private Secretary.

Enclosure 7 in No. 14.

Encl. 7 in No. 14.

SIR AND FRIEND,

I CONSIDER it my duty to write to you once more privately, as I am under an oath and obligation as chief of the emigrants to oppose everything that may tend to their disadvantage; and as Sir Harry Smith has offered so much money for my person, I cannot allow that any one who is against us should remain amongst us; even for my own safety—such will be made to quit. Why should you make yourself and your dear family unfortunate? The world is standing up for their liberty as well here as in other countries, and if the Most High wills that it should be so, who can stand against it? Some of the people whom Warden called upon to take the field against us, came last night to join us as volunteers. We have now so many people that we do not know what to do with them; and they are increasing every day. Hitherto, under the blessing and assistance of the Most High, we have met with no opposition. We have also entered into a treaty with the Griqua people; and we hope, under God's providence, not to shed one drop of human blood, or causing devastation in any part of the country. We only desire our right, which God has granted to all creatures upon earth; even the worthless bushmen have liberty and self-government, and why must we and our children be brought into fetters?

Old friendship bids me write this as a last warning to you; so that as regards you my conscience is clear. I write but little to you, because our friend, who has seen everything with his eyes, will speak a great deal to you.

I have the honour to call myself your always happiness-seeking friend and servant,
To De Heer J. Snyman. (Signed) A. W. J. PRETORIUS.

(True Translation.)
(Signed) F. REX, Sworn Translator.
(True Copy.)
(Signed) JOHN GARVOCK, Major, Private Secretary.

Enclosure 8 in No. 14.

Encl. 8 in No. 14.

WORTHY GENTLEMEN,

Karee Fontein, August 26, 1848.

UNDER present circumstances, I am obliged, especially to have no disturbance in my camp, to direct that every man who can be spared be called up without delay. Here is a report that troops are coming from Natal; whether it is the case, or whether it be only a rumour, we know not; but whatever it may be, the Governor is sitting on the other side of the river, and what he is brooding over we know not. To use every means of being cautious, all men who would otherwise have come to us shall have to go to Winberg, for the purpose, in case it should be necessary, to be at hand: should anything come from our rear then it will be good, and should we require them as a reinforcement, also good. Commandant Bester, of Winberg, has ordered 50 men to come to us; let them also remain there, and send immediately to John de Lange to send a report to Caspar Labuschagne to make a timely investigation, and in case there be any move that they may oppose it, and at once let me know, as I will be able to see where we will be attacked. The wish is that H. G. Lombaard, Esq., should take the general command, while Mr. Potgieter shall not have arrived.

Dear friends, our cause is now about to be born—let every assistance be afforded it, upon which thousands of souls, as well here as in the colony, depend. Everything goes in our favour, but now stands upon a pivot; if we wrest it out of the hands of the British, the colony is also prepared. We have had a friend from the colony with us, and there is no other chance than that discord should come amongst us. We hear nothing of you, and Mr. Potgieter and the people of Magalisberg; I trust that you will all with vigorous steps do everything that will be for our benefit. When Mr. Lombaard and Potgieter arrive, let John de Lange also, as an Under Commandant, assist in commanding over the people who come together, and let him be diligent and reconnoitre. Sir, I hope you will clearly understand me, that in case there be any commotion or move from Natal, you will call out every man to oppose it; and that the people whom Mr. Bester was going to send hither you will keep with you and in your vicinity, and should any more people come to you from the rear, you must keep them also with you, and provide for them for rations. I trust you will be most vigorous and on the alert, upon which will depend the happiness and welfare of the country and people. It is the last trumpet which the British are sounding, with a view, if possible, of bringing every African Boer under arms before them. But I hope that the good Almighty will rescue us from their hands, and to

NATAL.

attain this we must, through the prayer of unity and love, constantly kneel down before the great Creator.

Having made this generally known in your ward, and advised with your landdrost as to what is best to be done for general happiness and welfare, I am, with the greatest respect, your happiness-seeking friend,

(Signed) A. W. J. PRETORIUS.

(True Translation.)

(Signed)

F. REX, Sworn Translator.

(True Copy.)

(Signed)

JOHN GARVOCK, Major, Private Secretary.

Encl. 9 in No. 14.

Enclosure 9 in No. 14.

To His Excellency Sir H. SMITH, Bart, G.C.B.

YOUR EXCELLENCY,

Winberg, September 11, 1848.

IN taking my leave to-day, I desire again to express to you, my sincere and respectful esteem for your Excellency, the great chief of the British in South Africa. It is my constant wish ever to live in peace and fellowship with all under your Government. I feel ever interested in the peace and prosperity of the colony, for by their existence, my people who are living on the frontier, can alone hope for any prosperity.

Go, great warrior of your nation, go under the shield of your mighty God Jehovah, by whose help you tell me, you have been able to do such great things in this country.

Go, great leader of the soldiers of the lady your Queen, tell Her gracious Majesty in my name, that I love her Government; I love her warriors, whose deeds of valour have filled me with wonder.

Tell Her Majesty that I am sensible of the great debt I owe to the brave general of her troops, who has in a few days driven back and scattered the host of the wicked rebels, who would have been a scourge to my nation, and to all the nations around, if they had succeeded in their plot. Tell your Queen, my heart was sick, when I saw her troops with Warden leaving this land. I was hastening with my warriors to help him, but he told me to hold back; if not, my people would have died or conquered with him. To-day I admire the wisdom of major Warden in his retreating with his very small force. I see that if he had resisted the rebels, much blood must have been shed, and you great general Smith, would not perhaps, have been able to bring to such a good termination the war with the wicked rebel Pretorius.

Tell, great warrior, tell Her Majesty, this is the heart of Moshesh, the faithful Mosouto.

Now I recommend to your Excellency my people's cause. Let your wise Commissioners for arranging the farms of the Boers be told to remember, that my people are very numerous, that much of their country is possessed by Boers who have never received permission from me to build in the land. Let your Excellency's Commissioners require from these Boers to show the title by which they say, "This farm is mine."

Hear my prayer, great warrior, and, in Moshesh, remember there is ever a faithful ally of the British, and a true friend of your Excellency.

(Signed) MOSHESH.

(True Copy.)

(Signed)

JOHN GARVOCK, Major, Private Secretary.

No. 15.

No. 15.

Answered Dec. 27,
1848, No. 240, p. 90.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B. to Earl GREY.

"Smithfield," Seat of Magistracy of the Caledon River District, September 18, 1848.

(Received December 14, 1848.)

MY LORD,

IN conclusion of my political proceedings while beyond the Orange River, I have the honour to report, that I left Bloem Fontein on the 16th instant, and repaired to this magistracy, where I had previously directed the assembly of as many burghers as might have had time, since the restoration of tranquillity, to return to their homes. I cannot better describe all that has here taken place, than by forwarding to your Lordship the enclosed documents, marked respectively 1, 2, 3.

This district is composed, for the most part of truly loyal subjects, including fully 800 families; from whom several memorials to Her Majesty had emanated previously to my assumption of the government of this colony. Your Lordship will perceive by the address marked No. 2,* the importance which the people attach to the land certificates; and it was most gratifying to me to observe, while travelling beyond the Orange River, the confidence which had obtained in consequence of my previous measures, but which was

* Page 69.

unfortunately interrupted by the rebellion. Almost every farmer was building a good and substantial dwelling house. Hence it may be fairly inferred, that the feeling of reliance on the Government established, which existed previously to the outbreak, was only checked for the moment; and the construction of "the Queen's Fort" at Bloem Fontein, in which four 9-pounder guns will be mounted, has had the effect of increasing that confidence and dependance on my measures, so greatly to be desired.

I shall return into the colony *viâ* the new district of "Albert;" and shall hereafter have the honour to report to your Lordship the result of my observations of the effect, which recent occurrences have had upon the Dutch population; and which I am led to believe is most demonstrative of their attachment to the Government.

From Mr. Southey, the Secretary to the High Commissioner, whom I left in the Vaal River and Winberg districts, I have received the most satisfactory accounts of his own procedure and that of the Commission which I have appointed. Fines have been imposed and levied, varying from 15% to 75% each, according to the pecuniary circumstances of the individual, and the extent of his criminality in the rebellion.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) H. G. SMITH.

Enclosure 1 in No. 15.

Encl. 1 in No. 15.

To His Excellency Sir HENRY GEORGE WAKELYN SMITH, Bart., G.C.B., &c. &c. &c.

Smithfield, August 16, 1848.

WE the undersigned inhabitants of the district of Caledon River, beg leave to present to your Excellency our sincere congratulations upon your safe arrival at Smithfield, the seat of our magistracy, after having in so short a time, by the adoption of the most energetic measures, gained a signal victory over so large a body of rebels, and driven rebellion from the land.

We are again compelled to acknowledge with gratitude the wise and lenient measures adopted by your Excellency; and assure you we look with abhorrence upon this wicked and ungrateful rebellion which has caused the effusion of so much blood; and sincerely trust the wise measures now adopted by your Excellency, may prove the foundation of permanent peace, and future prosperity of this fine district.

Trusting your Excellency may have a prosperous journey on your return to the seat of Government, we beg to subscribe ourselves your Excellency's most humble, loyal, and obedient servants.

(Signed by 340 persons.)

Enclosure 2 in No. 15.

Encl. 2 in No. 15.

To His Excellency Sir HENRY GEORGE WAKELYN SMITH, Bart., G.C.B., &c. &c. &c.

THE Memorial of the undersigned inhabitants of the Caledon River District humbly sheweth,

That Memorialists suffer great loss, and considerable inconvenience, in consequence of the limits of their farms not being defined. They have heard with regret that some considerable time must elapse, before the duties of the Land Commission can commence in this district; and consequently the great loss the revenue will sustain.

Your Memorialists, therefore, humbly pray, that your Excellency will be pleased to appoint a separate Land Commission for this district, to commence operations as speedily as possible; feeling assured that it will give more satisfaction, and be conducive to the prosperity of its inhabitants.

Your Memorialists as in duty bound will ever pray.

(Signed by 336 persons.)

Enclosure 3 in No. 15.

Encl. 3 in No. 15.

Smithfield, Caledon River, Sept. 18, 1848.

HIS EXCELLENCY the Governor having concluded his arrangements in Winburg and Bloem Fontein, proceeded from the latter place on the 16th instant to the district of Caledon River; and having arrived at "Smithfield," the seat of magistracy, on the morning of the 18th,

L

NATAL:

received an address signed by 340 of the inhabitants, to which he made a suitable reply. His Excellency held a meeting at 11 o'clock the same day, to attend at which nearly 400 burghers had assembled.

The Governor informed the meeting that he had called them together under their magistrate, Thomas Vowe, Esq., and their Field-Commandant Sneyman, to explain to them what had taken place, and what he had done, since the breaking out of the late rebellion.

* Page 61.

† Page 59.

‡ Page 62.

The Proclamation of the 2nd September* was then read by his Excellency's direction; after which, that of the 7th September† issued at Winburg; and, finally, the minutes of the proceedings of the meeting held at the latter place, on the 9th instant.‡

On the portions of these documents being read, which allude to the Manifesto of the 29th March last, and to the war tribute, his Excellency reminded the meeting that the provisions of the former had been fully carried out; and with respect to the latter, assured them in very forcible terms, that the Colonial Treasury should not defray the expenses attending the suppression of the rebellion; that it was not fair or just that the peaceably-disposed persons in the "Sovereignty" should bear them; and that, therefore, the actors and aiders in the outbreak should be made to pay. His Excellency then said:—

"Gentlemen of Caledon River.—You have now heard what I have done in the other districts; you know that I have established a strong post in the 'Sovereignty,' and that should there unfortunately at any time be a recurrence of war, you will be able to assemble at Bloem Fontein, and there be certain of support. You must remember that you hold your lands on the tenure of burgher service, in the same manner as property is held in the colony. I wish, however, for no more war; I shudder at the very thought of it; but you see that I am able to bring troops over the Orange River without delay, and, if I thought it necessary, I would be again, myself, quickly among you, and go even to Origstadt, if, in order to secure peace, I should find it imperative to do so. But from the vigorous measures I have pursued, and the examples I have made, I am induced to hope, indeed, I feel assured, that there will be no more war.

"I contemplate hereafter giving you 'Heemraden,' two in each division, to be chosen by the people; so that the magistrate would then stand in like position with regard to them, as the Governor does to his Council at Cape Town. I do not however say, that I will do this immediately. I must first see that you are come to the resolution to remain content and quiet, and I may then be induced to give you this Government, more liberal in its nature than that possessed by any people.

"The rebel Pretorius talked of bringing black men upon my troops. You are no doubt aware that, had I said the word, the whole of the natives were ready to rush upon the rebels; but my heart is not like that of the villain Pretorius; I never harboured the thought of bringing them upon the Boers, and thereby causing a tragedy painful in the extreme.

"'Smithfield' was well defended, instead of being deserted, in time of danger; and it shall therefore remain the seat of magistracy.

"The Commissioners must now set to work to collect the war tax. The property of proscribed rebels shall be all confiscated; and those who took a leading part in the rebellion shall be deprived of half of theirs. Others will be fined by the Commission according to their deserts, as I have set forth in my Proclamation.

"There are so many good and well-disposed men in this district that you will, of course, be most anxious to have churches and schools."

[*Thomas Vowe, Esq., magistrate of the district of Caledon, here handed to his Excellency a list of subscriptions for the erection of a church at Smithfield, amounting to nearly 4000 rix-dollars.*]

His Excellency said:—

"I have great satisfaction in seeing this list; and I propose to lay the foundation stone of the church this afternoon.

"I have only now to say, that my heart is with you; and I shall be happy to hear any man speak who may wish to do so."

[*Field-Commandant Sneyman here said, that he felt grateful to Mr. Erwee for having, in his name, at the meeting at Winburg, answered for the loyalty of 450 men; but he here begged to observe, that that was much below the number; for that he could answer for 800 well-disposed men in the district of Caledon River. Mr. Sneyman also presented a Memorial, signed by 336 farmers, praying that a separate Land Commission might be at once formed for the district of Caledon, in order to prevent any delay taking place in defining the limits of the farms, and issuing land certificates. His Excellency expressed his satisfaction at the tenor of this Memorial, assured the burghers that he fully participated in their anxiety on the subject, and that he would take immediate steps to appoint a separate Commission.*]

The meeting then broke up, the Governor saying:—

"This day, gentlemen, is wet and unfavourable in some respects; but it will be long remembered as one on which I came among you to benefit you, if it lies in my power to do so. My heart is with all good men like yourselves; but my hand shall be against every rebel."

In the afternoon his Excellency proceeded, accompanied by about 100 burghers, to a spot not far from "Smithfield," where he laid the foundation stone of the church, under the auspices of the following prayer:—

"Except the Lord build the house, their labour is lost that build it.

"Almighty God, who, by thy Son Jesus Christ, didst ordain that where two or three are gathered together in thy service, thou art in the midst of them; grant, we beseech thee,

Almighty God, that thy church may serve thee in all godly peace and quietness, and grant, O Lord, that this foundation stone may rise into a goodly edifice, for the benefit of thy people, through Jesus Christ our Lord.—Amen."

During the Governor's progress through the district of the Caledon River, houses of a substantial description, some completed, others in a very forward state, were continually to be seen. These have all been commenced since the conclusion of the arrangements entered into between his Excellency and the Griqua chiefs in February last; and afford very sufficient evidence of the confidence established by the said measures among the Dutch population on the Caledon River, and which had been so wickedly interrupted.

The Governor left "Smithfield" for Burghersdorp at daylight on the morning of the 19th instant.

NATAL

(No. 161.)

No. 16.

No. 16.

COPY of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to Earl GREY.

Answered April 23,
1849, No. 308,
page 99.

Graaf-Reinet, September 29, 1848.

(Received December 14, 1848.)

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, copy of a minute dated the 24th May last, which I caused to be published in the "Government Gazette" of this colony, for the purpose of clearing up doubts as to the regulations relative to the occupation of land at Natal.

As this minute is strictly in accordance with the Proclamation of the 10th February, already transmitted to your Lordship in my Despatch, No. 17,* of the 10th February last, it is not necessary to trouble your Lordship with any further remarks on the subject.

* I have, &c.,

The Right Hon. Earl Grey,
&c. &c. &c.

(Signed) H. G. SMITH.

Enclosure in No. 16.

Encl. in No. 16.

LAND SETTLEMENT at NATAL.

Minute.

Government House, Cape Town, May 24, 1848.

I HAVE read, and attentively considered, the several documents lately received from his Honour the Lieutenant-Governor of Natal, relative to certain impediments which have presented themselves in the carrying out of the objects and provisions of the Proclamation of the 10th of February, 1848.

After weighing the many and, in some respects, conflicting considerations which are indissolubly connected with the subjects of land claims at Natal, I have come to certain conclusions, which I shall now proceed to state, and which, being elucidative of the Proclamation of the 10th February, are to be regarded as instructions for the guidance of the Land Commission therein appointed.

1. Whilst the primary and proper object contemplated by the appointment of the Land Commission was to promote the peopling, and consequent prosperity of the district, by settling on farms within it, emigrants sojourning beyond its limits, in discontent and discomfort, I, at the same time, approve of the course (which seems to have been adopted) of submitting all land claims, without distinction, for the recommendation of the Board. The Land Commission will, therefore, continue to receive such claims and applications as shall be addressed to them, whether by persons claiming registered farms or those claiming farms not registered, and whether by persons who have come into the district under my Proclamation, or persons who were resident previously to the issuing of that instrument. By thus passing all land claims through the hands of the Board, all chance of confusion of claims or inconsistent arrangements will be excluded.

2. Being satisfied that the twelve months' occupation test prescribed by the Proclamation of the 12th of May, 1843, and by the application of which the claimants were originally divided into two classes, No. 1 and No. 2, was a test but ill adapted, in most instances, for the ascertaining of real merits and well-grounded claims, I now authorize the Board to make no distinction (unless where special circumstances shall, in any special case, seem to render a distinction just and fitting) between original claimants in class No. 1 and original claimants in class No. 2. An original claimant in class No. 2, registered for a farm, may receive a farm of the same extent as a claimant registered for a farm in class No. 1. And original claimants registered in class No. 2 for more than one farm, shall have their claims to them considered upon the same principles as if they had been so registered in class No. 1. But all claimants in class No. 2, in whose favour the old arrangement is thus related, will, in case they receive a full farm of 3000 morgen (instead of one of 1000 morgen), be liable to such reasonable restrictions

* Page 213. Natal Papers, presented by Command, July, 1848.

NATAL.

upon selling and quitting the district as are in the 5th clause of this Minute mentioned. Heirs of original claimants, and purchasers, or other parties deriving from original claimants in class No. 2, shall be considered as clothed with the rights of those whom they represent, and shall receive the grants which the original claimants, but for death or alienation, would have themselves received. But while this principle of liberal and just equality is to be the general rule, the Board will not view it as requiring them to recommend, in regard to lands adjacent to the coast (where the lands are comparatively unsuitable for grazing purposes but very fit for agriculture), any original claimant in class No. 2, or purchaser from any such original claimant, for a farm of greater extent than 1500 morgen, or 3000 acres. It is not, however, intended to restrict any purchaser from or out of class No. 2, any more than a purchaser from or out of class No. 1, who may have acquired a plurality of claims, in regard to the number of farms which he shall receive. In this respect both classes are to be dealt with alike.

3. Subject to the rights of claimants in classes No. 1 and No. 2, emigrants not included in either class, but for whom particular farms have been registered in the books of the former Volksraad, which farms, owing to circumstances beyond the control of the claimants, were not inspected, are to be recognized as claimants for grants of the same nature and extent as if they were claimants belonging to class No. 2; and purchasers and others duly deriving under them are to be treated as if they themselves were such original emigrants. To prevent, however, persons who have left, and purpose to continue absent from the district, from selling the right now bestowed, either while so absent or when within the district merely upon a visit, no claimant under this section will be empowered to convey any interest whatever to a purchaser from him, unless such sale shall be effected within the limits of the district, and with the approval of the Land Commissioners. All persons receiving grants under this clause will, of course, be subject to the restrictions, in regard to alienation and removal from the district, which have been already referred to and are hereafter set forth.

4. Besides the several kinds of claimants who have been already described, and the late occupants on the Klip River (for whom the Proclamation of the 10th of February has explicitly provided), the Commissioners will be authorized to recommend the grant of one farm of 3000 morgen, beyond the Tugela River, to each emigrant subject from the Drakensberg or the country beyond; or who may, though in the district of Natal, be unprovided with a farm, and who desires to settle and occupy. Emigrant subjects who were once registered, but who parted with their titles and are now without any farm, may also be settled on a farm beyond the Tugela, without purchase or payment. If any such late registered claimant shall be prepared to pay into the district treasury such an amount (not exceeding the sum or value for which he parted with his former registered right), the Commissioners will be authorized to recommend him for a farm in such other part of the district as he may, with the approbation of the Board, prefer and elect. And all grants made under this clause will contain the condition respecting non-alienation, which is next set forth.

5. I do not contemplate the likelihood that any considerable number of the emigrants whom I have testified, and am anxious still further to testify, my anxiety to benefit, would seek to pervert the object and intention of my Proclamation to improper purposes, and solicit farms merely to sell them and remove. It is just and right, however, that provision should be made to thwart any such unfair attempts, if made, but so, at the same time, as to leave it in the discretion of the Lieutenant-Governor to authorize a relaxation of the restrictions which it is expedient to impose. All grants, therefore, of farms exceeding 1000 morgen, made to original claimants in class No. 2, or persons deriving under original claimants, and all grants made to such claimants as are described in clauses 3 and 4 of this Minute, will contain a stipulation to the effect that the grantee and his heirs shall not, for a term of seven years, sell or let to hire the farm granted, either wholly or in part, without the previous consent of the Lieutenant-Governor (who will judge, according to circumstances, whether such consent should be given), and that any breach of the stipulations shall entitle the Government to resume the farm. And inasmuch as the above provision could be easily evaded by judicial sales, it will be further provided in every such grant that the land shall not, for seven years, be executable under any judgment or decree of Court, but that, instead of being sold in execution, it shall be resumable, at the option of the Government, upon payment to or for the creditor, of the value of the buildings erected and improvements made by the grantee, such value to be fixed by a fair appraisement.

6. Any individual who would, under any of the provisions of this Minute, be entitled to expect a grant of a coast or agricultural farm, limited to 1500 morgen, may, if he should prefer it, obtain in exchange a farm of 3000 morgen, situated in such other part of the district as he may, with the approbation of the Board, fix upon and elect.

7. In every case in which the Land Commission shall, in carrying out the objects of the Proclamation of the 10th February, or this Minute, recommend any grant, the Lieutenant-Governor will consider himself as fully authorized by me to act upon their recommendation.

8. It is to be always borne in mind that my Proclamation of the 10th of February, this Minute, and the Land Commission, being calculated and intended to meet a temporary exigency, will continue in force no longer than the term of 12 months originally mentioned, and that the present plan of settling a permanent, peaceable, and prosperous population in the Natal district, will expire on the 10th February, 1849.

(Signed) H. G. SMITH.

(No. 171.)

No. 17.

EXTRACT of a DESPATCH from Governor Sir H. G. SMITH, Bart., G.C.B., to
Earl GREY, dated Government House, Cape Town, October 21, 1848.

(Received December 28, 1848.)

NATAL.

No 17.

Answered Jan. 8,
1849, No. 243,
page 90.

" I HAVE the honour to report my return this day to the seat of Government.

" Subsequently to the date of my Despatch of the 18th ultimo, I have made an extended tour through the eastern districts of the colony. On leaving Smithfield I crossed the Orange River at Buffel's Vley, in the district of Albert; where I propose to establish a town, to be called, at the request of many of the neighbouring inhabitants, Aliwal. This place, situated as it is on the direct line from Port Elizabeth as well as East London, will ere long become an important resort for traders, seeking to supply the natives of Moshesh and the Boers of the Caledonian River. From Buffel's Vley I proceeded to Burghers Dorp, the present seat of magistracy, the removal of which to Aliwal at some future period I have in contemplation, thence to Cradock, Graaf-Reinet, Somerset, and Fort Beaufort. At all these places I was happy to find that the most loyal feelings prevail towards Her Majesty, as well as gratitude to myself, for the prompt measures I have adopted for the suppression of the rebellion beyond the Orange River, and the protection of the well-disposed inhabitants, who had so earnestly prayed for a regular form of Government. These feelings are so well expressed in the Addresses, copies of which I enclose, numbered 1 to 7, that no further comment is required. All these districts are in a most flourishing and improving condition.*

Enclosure 1.

1 to 7.

" 10. I remained for some days at Graham's Town, and then proceeded to Port Elizabeth, where I was again met by an address upon the subject of Separate Government; a copy of which I enclose, with a note of my verbal reply. I make it a rule to reply verbally upon the presentation of all addresses, never receiving copies beforehand.

Encl. No. 5.

" 11. Having embarked at Port Elizabeth in the colonial steamer 'Phoenix,' I reached Cape Town this morning, receiving on my arrival the address of which the enclosed is a copy. It has not heretofore been my practice to send your Lordship addresses presented to myself; but the peculiar nature of the late military service in suppressing rebellion, at all times a distressing duty, induce me now to do so, with a view to demonstrate and prove the loyalty and good feeling which animate the vast majority of the inhabitants of this Her Majesty's colony of the Cape of Good Hope.

Encl. No. 6.

" 12. It is said that the prompt suppression of this rebellion will do much good within the colony, while it is also remarked that my measures, subsequently to the combat, were unnecessarily harsh. As regards the first point, the loyalty and good feeling displayed in these addresses furnish a reply. For the second, I deemed it right by the power of the law—the secret, silent, and irresistible power of the law—to demonstrate how the crime of rebellion must be visited. The effects of my proceeding have even exceeded the utility and consequent necessity which I had attached to it. The rebels themselves, when I was at Winberg, flocked round me in gratitude for my forbearance; the well-disposed hailing me as their deliverer.

" 13. Six thousand pounds have been already collected by fines; and the expenses of the expedition, consisting alone in waggon hire and the purchase of a few gun and troop horses, will be defrayed by the rebels. If any surplus remain, it shall be appropriated to indemnification for losses sustained in the outbreak.

" 14. The troops, with the exception of the garrison of Bloem Fontein, have all returned in perfect health to their quarters. The Queen's Fort, of which I enclose a sketch, together with a Report from Lieutenant Inglis, of the Royal Engineers, is completed. I have drawn round it a rayon of 400 yards; and much of the space thus reserved being eligible for building purposes, the ground-rent will more than defray the expense of the construction of the fort; for Bloem Fontein, situated as it is in the midst of a large native as well as emigrant population, will most assuredly before long become an extensive town.

* An intervening portion of this Despatch will be found printed in the Papers relative to the Kafir Tribes, presented by Command, May, 1849.

NATAL.

" 15. Her Majesty's steamer 'Dee' has been despatched to Natal, to bring back the wing of the 73rd regiment which I had sent there; and so soon as this shall have been effected, the remainder of the regiment will be brought out of British Kafraria to Cape Town by East London.

" 16. Thus the colony of the Cape of Good Hope is at this moment tranquil and flourishing within; and, with reference to European excitement, capable of defending its important posts of Cape Harbour and Simon's Bay, against hostile insult or aggression."

No. 1.

Enclosure 1 in No. 17.

Containing addresses No. 1 to 7, referred to at page 73.

ADDRESS

To his Excellency Lieut.-General Sir H. G. Wakelyn Smith, Bart., Governor of the Colony of the Cape of Good Hope, &c., and High Commissioner of the Eastern and North Eastern Boundaries of the Colony.

THE deference that is due to your Excellency's exalted rank and station as the representative of our beloved Sovereign in this colony would, under any circumstances, elicit an expression of honour and respect from the inhabitants of this village; but regarding your appearance amongst us a renewed interposition of an all-wise and gracious Providence who has again preserved your Excellency in the day of battle, we greet you with more than ordinary emotion; and we rejoice not for ourselves alone, neither for our country, though we are not unmindful of the advantages derived from your Excellency's administration, our deepest and tenderest sympathies are excited toward her whose spirit hovers round your person, and whose devoted affection is, like your own valour, the theme of our admiration and praise. But our delight is not without alloy; we sincerely deplore the cause that has drawn you from the scenes of domestic peace; and our heart burned with indignation when the tidings reached us that so many of your brave companions in arms had suffered, that your own life had been assailed, and that one gallant officer had fallen by the hands of a band of miscreants, whose ignorance is only exceeded by their guilt, whom, under Providence, you have been the means of scattering as chaff before the wind.

We embrace this opportunity of tendering to your Excellency, and through you to all who have perilled their lives in vindication of the insulted honour of our Sovereign and her laws, the humble expression of our gratitude and thanks.

Our gratitude is not less due to your Excellency for the prompt consideration displayed in the appointment of a magistrate and the other civil authorities to Burghersdorp, in accordance with the prayer of our petition. The extent of the district, and the rising interests of the village, required such arrangement. We humbly acknowledge the services and advantages derived from the authority exercised amongst us, and we confidently rely upon your continued consideration of the welfare of this place.

Commending your Excellency to the care and keeping of our heavenly Father,

We are your Excellency's

Most obedient Servants.

(Signed by 115 persons.)

No. 2.

No. 2.

ADDRESS

To his Excellency Sir H. G. Smith, Bart., G.C.B., Governor and Commander-in-Chief of the Colony of the Cape of Good Hope, &c. &c.

WE, the undersigned inhabitants of Cradock, beg to offer our sincere congratulations on your Excellency's safe return to the colony, after your short but brilliant campaign beyond the boundary, as also upon this your Excellency's first visit to Cradock. While we cannot but deplore the loss of life with which the late occurrence beyond the Orange River has been attended, we trust that the measures adopted by your Excellency will be the means of securing a lasting peace, and will ultimately prove of incalculable advantage not only to the colonists, but the deluded people lately opposed to Her Majesty's Government.

Wishing your Excellency a continuation of the success which has heretofore attended your Excellency's career, and that you may be long spared to rule over us,

We have the honour to be your Excellency's loyal and devoted servants,

T. VON ABO,	} Municipal Commissioners.
R. WHITE,	
J. H. GREATHEAD,	
A. M. HOCKLEY,	
GEO. DENNISON,	

No. 3.

ADDRESS

NATAL.

No. 3.

To his Excellency Lieutenant-General Sir Henry George Wakelyn Smith, G.C.B., Governor and Commander-in-Chief of the Colony of the Cape of Good Hope, High Commissioner, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the undersigned Commissioners of the municipality of Graaf-Reinet, take leave to welcome your Excellency on your visit to this town.

We congratulate your Excellency on your safe return from your late expedition to the country beyond the north eastern boundary of the colony, and upon the successful issues of the measures you found it necessary to adopt for the re-establishment of order among the deluded emigrants from the colony there residing.

We regret that so many of those misguided people have lost their lives in fighting for a bad cause; and we cannot help feeling compassion for their unhappy families, and deploring the misfortunes and the evils which the emigrants have brought upon themselves by their misconduct.

We trust, however, that they have now become convinced of their errors, and that they will henceforth prove themselves grateful for the considerate manner in which your Excellency has constantly shown yourself desirous of treating them, and will duly appreciate the benefits conferred upon them by your Excellency, and the great good to be derived from living peaceably under a kind, paternal, and just Government.

We have been grieved to hear of the severe loss sustained by the military in the brave performance of their duty, at the attack made upon them at Boom Plaats; and we sincerely trust that no similar occurrence will ever again take place in this country.

Reverting to more immediate local matters, we hope that the appearance and circumstances of our town will, upon a personal inspection, make a favourable impression upon your Excellency's mind, and obtain for our municipality your Excellency's support and assistance in our onward course of improvement.

We beg to assure your Excellency of our loyalty to our Sovereign Queen Victoria, her person and Government, and to express our gratitude for all the measures already adopted for the benefit of the colony; and our hope that Her Majesty will deem its inhabitants worthy of having further free institutions for self-government conferred upon them.

To your Excellency, personally, we beg to express our hope and fervent wishes that a kind and merciful Providence will long spare your Excellency to promote the well-being of those whom you have been appointed to govern. May His blessings at all times and everywhere attend yourself and Lady Smith, and all those who are dear to you.

We have the honour to be your Excellency's most obedient and humble servants,

(Signed)

J. F. ZIERVOGEL,
J. J. MEIJTJES,
J. C. NAUDE,
J. N. G. MULLEN.
C. S. SPILLER,
H. A. ENSLIN.

No. 4.

No. 4.

To his Excellency Sir Harry Smith, Baronet, Governor and Commander-in-Chief of Her Majesty's Castle, Town, and Settlement of the Cape of Good Hope, Ordinary and Vice-Admiral of the same, &c.

WE, the undersigned Municipal Commissioners of Somerset, feel great pleasure in meeting your Excellency on the present occasion; and congratulate your Excellency on your safe arrival at this place, which has not for many years past been visited by a Governor of the colony, although we firmly believe more loyalty cannot exist in a people than is possessed by the inhabitants of this district.

We also congratulate your Excellency upon the signal success which has attended your Excellency's exertions in subduing the wicked spirit of rebellion that has lately been cherished under Pretorius, and other evil-disposed persons beyond the Orange River. We much lament the loss of life that has been unavoidably occasioned in quelling that rebellion; while, at the same time, we admire the forbearance manifested by your Excellency, in having made every endeavour to prevent the shedding of blood. Your Excellency's visit to this place has inspired us with a hope that this remote village will not, under your Excellency's government, be neglected so much as it has hitherto been; but that your Excellency will, without hesitation, and in your Excellency's usual frank manner, countenance and support a measure which will shortly be brought before your Excellency's notice, with regard to the sale of additional erven and the ameliorating the condition of the natives resident within the municipality.

We should also feel happy if your Excellency could, consistently with the duties of your high office, support a measure which will, it is believed, shortly be brought before the notice either of your Excellency or of the Central Board, with respect to the line of road from the Zuurberg, so as to ensure its passing within as short a distance as possible of this village; thus stimulating trade and commerce here, and increasing the value of property in this village and district.

NATAL.

Further, we feel it our duty to draw your Excellency's attention to another circumstance, and that is, the great want of suitable public buildings at this place. It is a matter of grief to us to view the wretched apartments that are necessarily used as public offices here; and the prison, the dilapidated state of which has unfortunately of late years been the chief cause of so many prisoners having escaped. Suitable buildings, in a central position, would prove an ornament to the place, and do credit to the Government under your Excellency's liberal administration.

And having thus far trespassed upon your Excellency's kind attention, permit us to conclude by expressing a hope that your Excellency's life may long be spared; and that, under the providence of God, you may always manifest that wisdom and greatness of mind which have characterized your Excellency during your public career.

No. 5.

No. 5.

ADDRESS

To his Excellency Lieutenant-General Sir H. G. Smith, Governor of the Colony of the Cape of Good Hope, Her Majesty's High Commissioner, &c. &c. &c.

THE inhabitants of Fort Beaufort most respectfully beg to represent to your Excellency the deep interest they feel at your arrival at this place, and humbly tender to you, the representative of Her Most Gracious Majesty, whom may God long preserve, their most devoted allegiance.

It gives them great pleasure to be enabled to meet you, by the blessing of the Almighty, preserved from the dangers incidental to the arduous undertaking in which you have been so lately engaged, and in which the valour and energy of Her Majesty's troops have been again tried and proved invincible. While we deplore the circumstances which have led to the recent events, and the loss sustained by the country in the brave men who have fallen in the struggle, we congratulate ourselves that the measures you have adopted will be the means of establishing a permanent state of peace and security; and, as loyal subjects of Her Most Gracious Majesty, we assure you of our hearty co-operation in all measures calculated to secure the peace and prosperity of the country generally, and our only regret is, that we are not always favoured by the presence of Her Majesty's representative on the frontier, and assisted by the liberal form of representative government which is recommended to our views and feelings by its successful operation in the mother country, and which we are led to hope for by the liberal intimation of your Excellency.

With our fervent prayers for your Excellency's amiable lady, and that you may long live in happiness and honour,

(Signed by 80 of the inhabitants.)

No. 6.

No. 6.

ADDRESS OF FINGOES.

To his Excellency Sir H. W. Smith, Governor of the Colony of the Cape of Good Hope.
MAY IT PLEASE YOUR EXCELLENCY,

WE, the Fingoe inhabitants of Fort Beaufort and neighbourhood, take the earliest opportunity of expressing our lively satisfaction and thankfulness at seeing your Excellency amongst us after the dangers and fatigues of your late expedition against the rebel Boers.

We view with the utmost disapproval the late rebellious movement over the Orange River, in which so much valuable life has been lost, and the kindness of a parental Government treated with base ingratitude. Your Excellency will bear with us while we refer to the important circumstance of our emancipation from Kafir thralldom, and of which your Excellency (as Colonel Smith), in 1836 took so prominent a part, by which the computed number, 15,000 persons, the fragments of our broken nation, were removed from Kafraria and received as subjects of the Government of England.

This circumstance we refer to was the greatest possible benefit which could have been bestowed upon us, and as a people we are thankful for the same. Our gratitude we endeavoured to evince in the last war by resisting the invasion of the colony by the Kafir tribes; and although, from the overwhelming numbers of the invaders, we were not able to prevent the destruction produced by the enemy, in which we, as a people, bore our full share of suffering in the loss of all our cattle and many of our best warriors, still we have this satisfaction that we did our duty, and which we are ever ready to repeat.

No. 7.

No. 7.

To his Excellency Sir H. G. W. Smith, Bart., K.G.C., Governor and Commander-in-Chief of the Colony of the Cape of Good Hope, and Her Majesty's High Commissioner, &c. &c. &c.

SIR,

THE undersigned inhabitants of King William's Town cannot allow this opportunity to pass without congratulating your Excellency on the success which, under Providence, has again

attended you in this your late expedition against the refractory Boers beyond the Orange River, and safe return to this place, with additional and well-earned laurels, the reward of the truly brave, trusting your Excellency may long enjoy the same; that equal success may attend your future operations in Government and the field that have so eminently marked the past; that you may witness the successful rising of this province, the foundation of which your Excellency has laid, which we respectfully submit may be more speedily brought about by granting to established towns, &c., those laws for the protection of persons and property, with extension of lawful commerce, that are enjoyed in the colony; with the best wishes for yourself and lady, is the prayer of

Your Excellency's most obedient, humble, and respectful servants,
(35 signatures.)

EXTRACT of an ADDRESS of the Inhabitants of GRAHAM'S TOWN.

"To His Excellency Lieutenant-General Sir HENRY GEORGE WAKELYN SMITH, Baronet, Governor of the Colony of the Cape of Good Hope, Her Majesty's High Commissioner, &c., &c., &c.

"MAY IT PLEASE YOUR EXCELLENCY,

"WE, the inhabitants of Graham's Town, in town's meeting assembled, beg to express our hearty congratulations on the safe arrival of your Excellency among us, after having, with so much promptitude, put down the rebellion beyond the Orange River, and established peace, law, and order in its stead. The successful issue of your Excellency's exertions, aided by the meritorious conduct of Her Majesty's troops, we are convinced will operate in the most salutary manner, not only on the refractory and rebellious Boers, but on the whole population of Kafirland; and we also trust that the effectual blow now struck, while it has destroyed the very spirit of rebellion, will tend to consolidate the public tranquillity and thereby enable your Excellency to carry out those measures for the public weal, for which you have so energetically and assiduously laboured."

To His Excellency Sir HENRY GEORGE WAKELYN SMITH, Baronet, G.C.B., Governor of the Colony of the Cape of Good Hope, and High Commissioner of the Eastern and North-Eastern boundaries of the Colony.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the undersigned Commissioners of the municipality of Graham's Town, take the liberty of approaching your Excellency with a renewed expression of our loyalty to our most gracious Sovereign, and desire your Excellency to accept our cordial and heartfelt congratulations on your safe arrival in this town, after having so successfully terminated and put down the recent unnatural rebellion beyond the boundary of the colony.

It was with mingled feelings of surprise and regret that we saw your Excellency's wise and benevolent endeavours to promote the interest and welfare of those ignorant and misguided men meet with no more grateful a return, on their part, than a wicked and armed rebellion against your Excellency's authority as Her Majesty's representative. We have not failed to observe your Excellency's repeated and earnest endeavours to recall those unfortunate men to a sense of their duty, and the several warnings and cautions which had been mercifully given them, without the desired effect, until at length your Excellency had no alternative but the stern necessity of a recourse to arms. Victory, the wonted attendant on your Excellency, has, as usual, crowned your Excellency's undertaking with success, forced the whole of the leaders to flight, taught their followers a very severe but necessary lesson, and reduced the whole of them to unqualified submission; and we have now every confidence that the measures adopted by your Excellency will prevent a recurrence of anything of the kind in future, and may be the means of permanently establishing a beneficial system of Government in that hitherto disorganized country, and thereby rendering it worthy of British sovereignty.

With these views and hopes we sincerely wish your Excellency all the success that can possibly attend upon talent and experience, and with the warmest wishes for your own personal welfare and that of your Excellency's family,

We have the honour to subscribe ourselves,

With the highest respect,

Your Excellency's most obedient humble servants,

(Signed)

JAMES POWELL, Chairman.
THOMAS T. RING.
C. M. RODKS.
JAS. TEMLETT.

JOSEPH WALKER.
JAMES THACKWRAY.
WM. TROTTER.
M. B. SHAW.

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Enclosure No. 5, referred to at page 73.

ADDRESS of the Resident Government Association.

To His Excellency Sir H. G. W. SMITH, Bart., Governor and Commander-in-Chief of the Colony of the Cape of Good Hope, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the deputation appointed on behalf of the Port Elizabeth Committee of the Resident Government Association, have sincere satisfaction in tendering to your Excellency, on your return from your late toilsome and fatiguing expedition, a hearty and unfeigned welcome, and we beg most cordially to congratulate your Excellency on the prompt and energetic manner in which you have succeeded in suppressing the wickedly rebellious spirit which has for some time past manifested itself beyond our colonial boundary.

We join with your Excellency in sincerely deploring the loss of valuable lives, by which the accomplishment of this object has been attained. We trust, however, through the firm and judicious measures adopted by your Excellency, that the peace and tranquillity of that vast tract of country will henceforth be permanently secured.

We feel assured that we need not apologise to your Excellency for introducing a subject, upon which we are aware that your Excellency entertains and has expressed decidedly adverse opinions, but knowing as we do, that your Excellency is always willing to give a patient hearing to the expression of firm and honest convictions, we do not hesitate to urge upon your Excellency's dispassionate attention, the question of an independent and local self-government for this province, a question which so deeply and exclusively engrosses the public mind at this moment.

We do not attempt to define the mode in which the principle for which we would contend, is to be carried out, whether by a removal of the present seat of government, by the establishment of an independent local Government, or by the junction of two Governments under one head, as in the United States.

In suggesting the first measure, we are only acting upon the recommendation of the Commissioners of Inquiry, in 1823, and of our much revered Governor Sir B. D'Urban, in 1836, and following up the example of the Canadas, where the capital has been removed from Quebec to Montreal.

By the second mode we should be adopting the example of the colony of Port Phillip, which it has been judged expedient to separate from its sister colony, New South Wales; although the two capitals are only 450 miles removed from each other, and there are no restless barbarians or disloyal subjects, residing near the boundaries of Port Phillip.

The third proposition would give to us the form of Government in the different states of the Union, acting independently of each other, but uniting together under one head for foreign and general purposes, assimilated in principle to the constitution proposed by the Secretary of State for the islands of New Zealand.

We feel persuaded that whatever opinions your Excellency may at present entertain, when our wishes and wants are analyzed and become better understood by your Excellency, that they will be found neither ill-founded nor unreasonable.

We have seen that the Home Government is disposed to grant more liberal institutions to her colonial possessions, and that your Excellency has already recommended that the benefits of representative legislation should be extended to this colony. While we acknowledge with thankfulness your Excellency's exertions, to secure this inestimable concession, your Excellency will pardon us while we frankly aver that such an institution can never be regarded as a boon to this province, so long as the sittings of the assembly so elected, are appointed to be held at the extreme end of the other province.

We are fully impressed with the decision and activity of your Excellency's character, which prompts and enables you to be on the scene of action in an incredibly short space of time, but emergencies may occur, when even that promptness will not suffice, nor can we always look forward (in case of your Excellency's removal) to the appointment of a Governor, possessing the same energy, and the same local knowledge and intimate acquaintance with the habits and character of the native tribes upon our borders.

We will not occupy your Excellency's valuable time, longer than to express our earnest hope, that the subject will not be dismissed from your Excellency's mind, without receiving that consideration which its importance demands, and that your Excellency will be pleased to forward such representations to Her Majesty's Government, as we may deem it expedient to submit.

We beg to assure your Excellency, that we feel grateful to that benign providence, that has so mercifully protected you in the hour of danger, and we offer our best wishes for your safe and speedy return to that peaceful home which is rendered so attractive, and is so adorned by the presence of your amiable lady.

REPLY of his Excellency on receiving the Address.

GENTLEMEN,

I RECEIVE this address with unfeigned satisfaction, for two reasons:—1st. That it conveys to me the congratulations of your Association on my safe return; and secondly, That it assures me of your approbation of those measures which have been adopted by me for the establishment of peace and order beyond the North boundary. It is not from any feeling of vanity that I assert it, but from a deep conviction of its being the fact, that that expedition has been

crowned with success, and that the future tranquillity of that country has been guaranteed, and thus the first condition of all prosperity,—agricultural, commercial, and social,—secured.

Gentlemen, you are right when you affirm that my opinions on a "separate and distinct Government," are averse to those of your Association. But I have not formed them hastily. I am convinced that we are not yet prepared for separation, and that our prosperity is in our union. In proof of this let us take a retrospective view, and let us compare what this colony is to day, with what it was this day last year. Where has any settlement enjoyed greater or equal prosperity? and yet we have not separated. I was delighted when riding into the town this morning, to mark on every side so many improvements, so many fine new houses, and your shipping so increased. And when the Zuurberg cut is completed, it will give a fresh impetus to every interest in Port Elizabeth. Let me know your wants. Believe me, that I have at heart the welfare of the people of this portion of Her Majesty's dominions, and I desire to be made acquainted with their wishes. Although, at present, I cannot accede to your desires for a "separate and distinct Government," yet even here I do not say that I am wedded for ever to my present opinion. Aware that the present institutions were utterly inadequate, I have recommended to Her Majesty's ministers that representation be conceded to you, and the members from this province be paid for the time they are employed in serving, by their counsel, the country. Wait then and let us first try that form, and should it be found inadequate, I shall at once give my consent to its abolition. Only at present I cannot propose another change before the first alteration has been tried.

Nor ought we now to be disunited. Look at the question as it ought to be viewed. Examine it judicially, financially, and in a military point of view. I can admit that we might have a judicial separation, that it might render the administration of justice more complete to have a separate judge in this province, but even that would add some 10,000*l.* to our expenditure. But regarded in a financial point of view, I am most decidedly opposed to separation, and I tell you so frankly. You speak of direct taxation to meet your disbursements. Next to war, the greatest curse that can be inflicted upon a county, is that of direct taxation. Nor was the time when you commenced to agitate this question, a very proper time, when the western province was contributing all that it possessed, in means of men and supplies, to assist in the reduction of our common enemy. And let us extend our observation to other countries, to the United States, that great empire whose destinies are not yet all foretold, there it was once moved to have two distinct and separate governments, the seat of the one to be in New York, that of the other in Washington. Was the proposition carried? No! Congress rejected it and preferred the union. And what is Germany with her 33,000,000, struggling after, at present, but union? These German states have sunk, through their disunion and separation; while Great Britain, whose throne at the present time stands alone so firm, and whose constitution has been unshaken by the shocks which have laid so many other constitutions low, is acknowledged to owe her strength and her greatness to the union of her people. Nor at the present time must we have separation here. When I agreed to accept the appointment of Governor of this colony, it was on the faith that I should enjoy the confidence of all its inhabitants; and as long as I have the majority with me, as at present, I shall do all in my power to secure the happiness of the greatest number. Gentlemen, I tell you that my idea of a government is to insure the greatest possible amount of happiness to the greatest possible number; and although you may affirm that in this province you have the majority with you, I tell you that it is not so, that I have the majority, I have ascertained the sentiments of the people, and I shall study their wants and your wants. I desire to know them. I am pleased to be made acquainted with your wishes and desires. Tell me what object you wish my attention directed to. State everything frankly and boldly. I do not object to that. No, if I go wrong, show me my errors too, and if I cannot do better I shall give up the government to be assumed by one more competent. But do not pervert my sentiments. Believe that I ever study to be upright in my conduct, and to act only from the purest motives. I may differ from you, I do differ from you, but I seek only your welfare. Did I come among you for name, or for fame, or for fortune? For the two former certainly not. For the latter I shall spend all my income among you. I came to serve you, and to serve you in the way most accordant with my own convictions of what is for your good. Here I may refer to what transpired between Her Majesty Secretary of State and myself, on this subject. When I was asked whether I wished a Lieut.-Governor to assist me in my labours, I said you have one there already, and I do not recommend his removal. I was answered no, he is removed already; he is appointed to South Australia. Then I said, I do not wish a successor to him. The office of Lieut.-Governor fulfilled no other part than that of giving rise to very unprofitable correspondence. When I was asked whether I would have a Lieut.-General, I replied certainly not. I did not wish any division here. Gentlemen, you do not know the difficulties of military command, but I do; and in a country such as this colony, where everything is in the chaotic state, I would certainly not recommend military division, which leads me to add a few remarks on this last head. Gentlemen, although this colony will, I believe, one day become one of the finest and most important commercial possessions of the British Crown; it is at present chiefly important as a military station—as a maritime possession. We must look at it as an integral portion of the British Empire, held for the purposes of the maritime power; and viewed in this light, and always in the prospect, that a great war raging every where may soon have to be prosecuted, the Cape is the proper place for the seat of Government. With regard to the Kafir outbreaks, I can only state my conviction that the measures which I have adopted with that people, have been successful to a degree equal to all human expectation; and while I can rely upon the confidence of the inhabitants, I fear no emergency. Now, gentlemen, I repeat again that I receive with sincere satisfaction, at all times, a frank expression of your sentiments and desires; and, although I

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confess, that I shall not be driven from my own convictions, until new convictions have been produced, yet I am pleased always to have the opinions of Her Majesty's subjects here.

His Excellency, in conclusion, expressed his regret that he could not be in Port Elizabeth at an earlier hour, that he might have met the gentlemen before him, and many others, at breakfast, where he should have had the pleasure of drinking their healths.

Enclosure No. 6, referred to at page 73.

To his Excellency Sir HENRY GEORGE WAKELYN SMITH, Bart., G.C.B., Governor, Commander-in-Chief, and High Commissioner of Her Majesty's Settlement of the Cape of Good Hope, &c., &c., &c.

SIR,

WE, the undersigned merchants and other inhabitants of the city of Cape Town, and its neighbourhood, seize this opportunity of offering our congratulations on your Excellency's safe return to the chief seat of your government, after the harassing disturbances which so unexpectedly called you hence.

The vigour and rapidity with which this wicked rebellion has been repressed, and the moderation with which peace and good order have been restored, are eminently characteristic of your Excellency's genius as a soldier, and of the generous sympathies of your nature; for all must have observed with no less admiration than satisfaction, your persevering efforts to avoid, by the most conciliatory measures, the necessity of a resort to arms; and when that necessity could no longer be avoided, with justice to the people whose welfare is entrusted to your keeping, the unconquerable energy and alacrity with which you annihilated the hopes, and scattered the power of the rebellious opponents of your government.

We confidently trust, Sir, that the result of these exertions will ensure the permanent tranquillity of the country, and leave your Excellency at leisure to prosecute those great undertakings which had previously been projected for advancing, in so eminent a degree, the agricultural and commercial prosperity of the colony.

That you may long continue to preside over the public affairs of these settlements, and to exercise that "justice and mercy," for which in the congregation we pray, and which has hitherto marked your distinguished career in the service of your country, is the hearty desire of

Sir,

Yours, &c.

REPLY of his Excellency.

HONOURABLE SIR, and my kind friend Mr. Hamilton Ross,—I cannot express my feelings at receiving the address of the inhabitants of Cape Town, by your hands. When I was in this colony, many years ago, you did me an act of kindness, never to be forgotten. I remember it gratefully, and now repeat it proudly.

Gentlemen,—it is with the most heartfelt gratification that I have heard the address read, which is now presented to me. The inhabitants of Cape Town have ever been conspicuous for loyalty and devotion to their Sovereign, and as the representative of our Gracious Queen, I must say, that I have ever met with your warmest support. When I arrived amongst you, some months ago, I not only received it then, but again on my return, after having visited the frontier districts of the colony, where I hoped by my acts to have left all in profound peace and prosperity. But I had not been very long amongst you, when my services were again suddenly required to put down the seditious acts of some daring, disloyal, and rebellious men. I parted from you with deep regret, at being summoned away on so unpleasant a duty, receiving the sympathies of you all.

I went to put down rebellion by force of arms, after having endeavoured by every conciliatory means in my power to check its course. When I lately returned to the country beyond the Orange River, I was happy in observing large new buildings, which had been created since my last visit there, and the increased possession of the farmers of herds and flocks, thereby proving that the mass of the people had placed confidence in the measures I had adopted for their welfare. Vile characters, however, and one in particular, by and in whom I was most grossly deceived, stirred up rebellion amongst them, whom I can best designate by the Dutch term, oproermaker. By his treacherous conduct and violence, more than 3000 families were driven from their homesteads, in the most inclement weather, who would not join in his infamous designs. To enlist the sympathies of the world, was not therefore the views of the many, but the vile acts of the few rebellious hearts. What I may term the twaddle of the present day was made use of, which is the mode now in practice to entrap public sympathy in favour of treasonable proceedings.

On my return from Kafirland, 12 years ago, I felt proud in saying that the Kafirs were all distressed in losing me. And I now as triumphantly say that I left the people beyond the Orange River, heart and soul in my favour. Many of the farmers rode 150 miles to take the oath of allegiance. I received them not as a conqueror, but as a friend. All rejoiced at the measures I had thought it necessary to enforce; but whether right or wrong, I deemed it my imperative duty to avenge the insult that had been offered to Her Majesty, our Gracious Queen, and having in open field chastised those who had dared to arm themselves against her Government, I appealed to the law, and exercised the law, carrying its sentence into execution, because it was my duty.

The measures I have endeavoured to adopt since I have administered this Government, have all been framed with a view to peace and tranquillity.

I have told you how happily I left the lately disturbed districts beyond the Orange River, the people paying the war-tribute cheerfully, and with this I have been enabled to meet the expenses of the expedition, so that they should not fall on the colony, but be borne by the rebels. I am also happy to tell you that the reception I have met with from the Dutch population every where throughout my tour, has been most gratifying to me.

In Kafirland the tribes have become quite another people, quiet and submissive in conduct, and becoming daily part of ourselves, and when I threw down the instructions of Her Majesty before the different chiefs, saying, "There is your law henceforth," their joy was universal, at being declared British subjects. Habits of industry are becoming also very generally established, the labourers procured for the erection of the numerous houses now being built in King William's Town, being Kafirs. A mutual kind feeling is springing up between them and Englishmen, because they feel the value of a regulation, which makes them more free and happy, whilst in the few robberies which have taken place, the stolen property has been recovered in every single instance but one, which is now being traced, mainly through the activity of the chiefs.

It has been advocated by some persons on the frontier, that a separate Government is desirable; but taking the colony at large, I am of opinion, that what is the interest of one, is that of the whole. I had occasion, on my last visit there, to remark its position and condition, and contrasting its state then and now, I have no hesitation in pronouncing in favour of its present one. A separate Government had been agitated prior to my arrival in the colony; but I maintain that a more inopportune time could not have been fixed on, when the resources of the people and the country required combination and union; and was certainly not a period for bringing forward and advocating a separation of interests and revenue. I have expressed my opinion very lately to the inhabitants of Graham's Town, on this momentous question, and I am rejoiced to say, it has had a desired effect, and has been acknowledged by them. I plainly told them at the same time, that to have a separate Government was not the feeling or the wishes of the majority.

(His Excellency alluded next to a form of representative government, which he had recommended to Earl Grey for adoption, and then added):—

As regards myself, I have only one feeling, the prosperity of the colony at large, and have always endeavoured to adopt measures for its advancement, and for the maintenance of peace. I am happy to say, that in these endeavours I have always received the cordial support of the inhabitants of Cape Town. It shall be my future endeavour and desire, still to preserve that good opinion and support; but should I find a general want of confidence in the public towards me in my administration of the affairs of the Colony, and that they are inimical to my views for its welfare. I shall not hesitate, for one moment, to resign the trust confided to me, into the hands of those who placed it there!

To his Excellency Lieut.-General Sir H. G. W. SMITH, Bart., G.C.B., Governor of the Colony of the Cape of Good Hope, Her Majesty's High Commissioner, &c. &c.

WE, the undersigned deputed by the Board of Commissioners for the municipality of Cape Town, to welcome your Excellency upon your arrival in this city, and among your family, beg to express the heartfelt satisfaction of the representatives of this municipality, at your Excellency's safe return to the seat of government, and their gratitude that your Excellency has been thus spared by Providence to promote the well-being of the colony at large, and of this city, which we beg to recommend to your Excellency's particular attention, as peculiarly requiring, under existing circumstances, your Excellency's paternal care and solicitude.

With our fervent prayers for your Excellency's amiable lady, and that you may long live in happiness and honour, we respectfully subscribe ourselves,

Your Excellency's most obedient humble servants,

H. C. JARVIS, Chairman,

O. J. TRUTER, Vice-Chairman.

J. H. WICHT, Commissioner of District No. 5.

To his Excellency Sir H. G. W. SMITH, &c. &c.

WE the undersigned elders and members of the Jewish congregation in the city of Cape Town, beg to tender our congratulations to your Excellency, upon your safe return to your family and the seat of Government.

We desire to convey our sense of the firmness and judgment displayed by your Excellency in the trying scenes in which you have been lately placed, when a wanton and unprovoked rebellion, threatening the prosperity of this colony, was speedily crushed by your Excellency's characteristic energy and resolution.

In carrying out the measures adopted by your Excellency, we consider that your Excellency has displayed the ability of the great captain, the valour of the veteran soldier, and the equity of the upright magistrate—tempering acts of imperative severity with a clemency which the authors of the recent rebellion had no reason to expect.

In conclusion, we address your Excellency as the friend of liberal measures and religious

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toleration, and we pray that the great Jehovah, the common God and Father of the Hebrew and the Christian, will be pleased to take your Excellency now and hereafter under his care and protection, and will bless your acts in private as well as in public life.

Cape Town, October 20, 1848.

To his Excellency Sir H. GEORGE WAKELYN SMITH, Bart., G.C.B., Governor, Commander-in-Chief, and High Commissioner of Her Majesty's Settlement of the Cape of Good Hope, &c. &c. &c.

SIR,

WE, the undersigned merchants and other inhabitants of the city of Cape Town and its neighbourhood, seize this opportunity of offering our congratulations on your Excellency's safe return to the chief seat of your government, after the harassing disturbances which so unexpectedly called you hence.

The vigour and rapidity with which this wicked rebellion has been repressed, and the moderation with which peace and good order have been restored, are eminently characteristic of your Excellency's genius as a soldier, and of the generous sympathies of your nature; for all must have observed, with no less admiration than satisfaction, your persevering efforts to avoid, by the most conciliatory measures, the necessity of a resort to arms; and, when that necessity could no longer be avoided, with justice to the people whose welfare is entrusted to your keeping, the unconquerable energy and alacrity with which you annihilated the hopes, and scattered the power of the rebellious opponents of your government.

We confidently trust, Sir, that the result of these exertions will ensure the permanent tranquillity of the country, and leave your Excellency at leisure to prosecute those great undertakings which had previously been projected for advancing, in so eminent a degree, the agricultural and commercial prosperity of the colony.

That you may long continue to preside over the public affairs of these settlements, and to exercise that justice and mercy, for which in the congregation we pray, and which has hitherto marked your distinguished career in the service of your country, is the hearty desire of Sir, &c. &c.

**Despatches from the Right Hon. Earl Grey,
Secretary of State.**

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No. 1. (No. 170.)

No. 1.

EXTRACT of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart., G.C.B., dated Downing-street, August 5, 1848.

* Page 1.

"I HAVE received your Despatch of 22d May last, No. 87, forwarding copies of various communications which you had received on the subject of the Manifesto, which you addressed to the emigrant burghers on the 29th of March last, and I have to express my satisfaction at the beneficial effects, which appear to have resulted from the publication of that Proclamation.

"As regards the Proclamation which you have issued, relative to the legalization of marriages beyond the Orange River, I can at present only refer you to my confidential Despatch of the 21st June last, in which I requested that you would furnish me with a report as to the legal character of the measures, which you have proposed for the government of that territory."

No. 2. (No. 20.)

No. 2.

EXTRACT of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart., G.C.B., dated Downing-street, September 26, 1848.

* Page 8.

"I HAVE to acknowledge the receipt of your Despatch, No. 100, enclosing copies of a letter, dated 9th of May last, which has been addressed to you by Lieut.-Governor West, and of the answer, dated 20th June, which you have returned to that letter. I approve of the answer which you made to that communication from the Lieutenant-Governor.

"You have proceeded, as far as I intended, in organizing a native force for the protection of the Natal district. There being there already 100 native police; you have very properly advised the Lieutenant-Governor to organize the whole of the efficient natives after their own fashion, and likewise to form a corps of volunteers of the settlers, warning the Lieutenant-Governor at the same time, that the regular force is more likely to be diminished than increased. My Despatches of December, 1846 and 1847, which are quoted by the Lieutenant-Governor as evidence of the necessity for an additional force there, were written at periods when there were scarcely any troops in the settlement."

"Having already expressed my approval of your answer to the Lieutenant-Governor, I will only now further state generally that I consider your observations in regard to the line of conduct to be pursued in relation to Panda as extremely judicious. You have very distinctly pointed out to Mr. West, the objections which exist against encouraging the subjects of that Chief to leave him, unless such a course should become proper and necessary as the consequence of his tyranny to them, and of his determined hostility to the British authorities."

No. 3. (No. 194.)

No. 3.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart., G.C.B.

SIR,

Downing-street, September 30, 1848.

Mr. Maxwell, July
21, 1848.

Colonial Office,
Aug. 8, 1848.

Mr. Maxwell, Aug.
14, 1848.

Colonial Office,
Aug. 16, 1848.

I TRANSMIT herewith, for your information, the copy of a correspondence which has taken place between this office and Mr. Patrick Maxwell with reference to his application for land at Natal, and I also transmit the accompanying certificate, showing a payment to the account of the Colonial Land and Emigration Commissioners at the Bank of England of 100*l*. in favour of Mr. Maxwell and his wife for the purchase of land in that territory.

This being the first occasion that I have had to notify to you a deposit for land, I consider it proper that you should be informed of the system of deposits authorized by Her Majesty's Government and now in operation for the Australian colonies.

This system is fully explained in the 9th and 10th articles of the regulations relating to the sale of lands in the Australian colonies, and which will be found

at page 11 of the accompanying printed copy of the Colonization Circular, issued by the Colonial Land and Emigration Commissioners.

It will be seen that a depositor of land in Australia is allowed to nominate five adults for free passages for every 100% deposited. This number is limited by the expenses of conveyance; but adverting to the lower rate of passage to the Cape, I consider that to this colony the number may be increased, and I have accordingly authorized the Land and Emigration Commissioners to establish, as the present rule for the Cape, seven adults for every 100% as the number of free passages at the disposal of the depositor, provided he selects people eligible, according to the rules laid down by the Commissioners.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

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Extract annexed,
vide p. 86.

Enclosure 1 in No. 3.

Encl. 1 in No. 3.

MY LORD,

12, Romney Terrace, Greenwich, July 21, 1848.

CIRCUMSTANCES having led me to contemplate emigrating to one of our colonies, and what I have learned of the state and prospects of Port Natal having induced me to fix on that as the most suitable to my views, I beg respectfully to solicit Government, through your Lordship, for the grant of a few (say 10,000) acres of land, so as to enable me to carry out the objects I have in view, the principal of which is the cultivation of cotton, it being an undoubted fact that a great part of that new colony is adapted for the growth of the finest quality of that article, as has been proved by some recent sales made in this country, of which your Lordship is, without doubt, already aware.

I must add, that in order to the said grant proving available for my purpose, I would humbly suggest that it will be necessary I should inspect the unoccupied country, so as to select ground suitable for my purpose.

Should Government think fit to comply with my solicitation, it is my intention to improve and parcel out into small allotments a certain portion of the property, as I anticipate being able to induce several of my countrymen from the south of Scotland to resort thither.

It being, of course, necessary that your Lordship should be satisfied of the respectability and qualifications of your petitioner for such an undertaking, I beg to take the liberty of referring you to his Grace the Duke of Buccleugh and the Marquis of Breadalbane, and to Messrs. Charles Cowan and Gibson Craig, Members for Edinburgh.

In hopes that my petition may meet with a favourable reception from Government, and being anxious to get out immediately, I have caused a passage in the ship "Gwalior" to be secured (conditionally) for myself and family. She sails on the 22nd August, and I only defer my preparations, awaiting your Lordship's reply.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) PATRICK J. MAXWELL.

Enclosure 2 in No. 3.

Encl. 2 in No. 3.

SIR,

Downing-street, August 8, 1848.

I AM directed by Earl Grey to acknowledge the receipt of your letter of the 21st ultimo, soliciting a grant of about 10,000 acres of land at Natal, and I am to acquaint you, in reply, that the practice of making free grants of land having been discontinued, it is not in his Lordship's power to accede to your request.

But at the same time I am to state that Lord Grey, being desirous of affording every reasonable encouragement to settlers in Natal, has decided, that whatever money capitalists proceeding thither may be willing to invest in the purchase of land, shall be expended in sending out emigrants and in making roads and other improvements calculated to enhance the value of the land bought.

If, therefore, you should carry into effect your present intention of proceeding to Natal with settlers, Lord Grey would instruct the Governor of that colony to give you credit, in land-purchases, on account of all duly qualified emigrants whom you may take with you, for an amount of money equal to that which would have been expended by Her Majesty's Government in sending them out had they proceeded to the colony in one of the vessels despatched by the Colonial Land and Emigration Commissioners; and I am further to acquaint you that, with a view to entitle yourself to this advantage, it will be necessary that you should communicate the names and description of the settlers whom you may select to the Commissioners for Land and Emigration, in order that they may decide as to their respective qualifications.

Patrick Maxwell, Esq.,
12, Romney Terrace, Greenwich.

I am, &c.,
(Signed) B. HAWES.

NATAL.

Encl. 3 in No. 3.

Enclosure 3 in No. 3.

EXTRACT of REGULATIONS respecting the Sale of Lands in the Australian Colonies, referred to at page 85.

"9. PERSONS will be at liberty to make payments for colonial lands in this country, for which payment or deposit they will receive an order for credit to the same amount in any purchase of land they may effect in the colony, and will have the privilege of naming a proportionate number of emigrants for a free passage, as explained in the next article. The deposits must be made in one or more sums of 100*l.* each at the Bank of England, to the account of the Colonial Land and Emigration Commissioners: and the depositor must state at the time the colony in which the land is to be selected, and give notice to the Commissioners of the deposit. Upon production of the Bank's receipt for the money, the Commissioners will furnish the depositor with a certificate, stating the amount which he has paid, and entitling him to obtain credit for that sum in any purchase which he may effect in the colony, subject to all rules and regulations in force in the colony at the time such purchase may be made.

"10. For every sum of 100*l.* deposited as above, the depositor will be entitled, for six months from the date of payment, to name a number of properly qualified emigrants, equal to five adults, for a free passage. Two children between 1 and 14 are to be reckoned as equal to one adult. The emigrants are required to be chosen from the class of mechanics and handicraftsmen, agricultural labourers, or domestic servants, and must be going out with the intention to work for wages. They are to be subject to the approval of the Commissioners, and must, in all respects, fall within their general regulations on the selection of labourers."

Encl. 4 in No. 3.

Enclosure 4 in No. 3.

SIR,

12, Romney Terrace, Greenwich, August 14, 1848.

My wife's trustees have consented to invest 100*l.* in the purchase of land at Port Natal for her, but accompanied with the condition that it is to be paid to Government here, in order to ensure its application to that purpose. Will you have the goodness to inform me if that arrangement can be made, as otherwise it may materially frustrate my present intentions of going there.

As I have taken my passage in the ship "Gwalior," which sails on the 22nd of this month, an early answer will be esteemed a favour.

Benjamin Hawes, Esq. M.P.,
Colonial Office.

I have, &c.,
(Signed) PATRICK J. MAXWELL.

Encl. 5 in No. 3.

Enclosure 5 in No. 3.

SIR,

Downing-street, August 16, 1848.

IN answer to your letter of the 14th instant, I am directed by Earl Grey to inform you that if your trustees deposit money for the purchase of lands to the credit of the Colonial Land and Emigration Commissioners at the Bank of England, it will be competent to them to name the person to whom they wish the right of acquiring land in virtue of that deposit to belong. For all further particulars I am desired to refer you to the Commissioners, whose office is No. 9, Park-street, Westminster.

Patrick J. Maxwell, Esq.

I am, &c.,
(Signed) B. HAWES.

No. 4.

(No. 199.)

No. 4.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart., G.C.B.

SIR,

Downing-street, October 23, 1848.

* Page 10.

I HAVE received your Despatch of the 5th July last, No. 104,* accompanied by a letter from the Lieutenant-Governor of Natal, reporting the influx of natives into that territory, and the proceedings of the chief Panda, and I have to desire that you will convey to Lieutenant-Governor West my approval of the course which he has expressed his intention to pursue.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

(No. 202.)

No. 5.

NATAL

No. 5.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH Bart.,
G.C.B.

SIR,

Downing-street, October 23, 1848.

* Page 12.

I HAVE received your Despatch of the 26th of July last, No. 106,* reporting that Pretorius had headed the emigrant Boers beyond the Orange River in open revolt, and that you had offered, by proclamation, a reward of 1000*l.* for his apprehension, and the further sum of 1000*l.* to any person who should give such information as might lead to his apprehension.

I have received with much regret the intelligence of this insurrection, but I hope that the confidence which you have expressed that it will be speedily suppressed may prove to be well founded.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

(No. 218.)

No. 6.

No. 6.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, November 15, 1848.

Sept. 18, 1848.

I TRANSMIT for your consideration copies of certain queries, which I have received from the Earl of Arundel and Surrey, relative to the possibility of acquiring a large tract of land adapted to the formation of a settlement contiguous to Natal, or some other portion of Her Majesty's possessions in Southern Africa, and I have to request that you would furnish me with such information on these several inquiries as it may be in your power to obtain.

I also enclose, for your information, a copy of the answer, which I returned to Lord Arundel and Surrey's letter forwarding these queries, in order that you may perceive the conditions on which I have consented to call for this information.

Nov. 15, 1848.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

Enclosure 1 in No. 6.

Encl. 1 in No. 6.

MY LORD,

Rotterdam, Monday, Sept. 18, 1848.

CIRCUMSTANCES into which it is unnecessary for me to enter have prevented me from sending your Lordship an earlier reply to your letter of the 26th ultimo. It is now necessary for me to address you, in the absence of Mr. Monseil, but not without having consulted with him upon the matter, so as to be able to ask your Lordship to consider this as a joint letter from him and from myself, though bearing my own signature alone.

We beg to thank you for the kind manner in which you have received our request, and not less so for the readiness with which you have explained your own views upon the matter, and exposed to us the difficulties which you think we are likely to encounter.

We feel it our duty, with reference to the concluding paragraphs of your Lordship's letter, to assure you that nothing could be further from our intention than the idea of introducing any civil disabilities into the proposed settlement on account of differences of religious belief. We entirely concur with the views expressed by your Lordship upon that subject.

I take the liberty of sending your Lordship two papers, containing questions upon which we seek information with regard to the colony of the Cape of Good Hope and the provinces of Natal.

The paper marked A contains those questions upon which we hope for information from the Government officers at the Cape and Natal, through the assistance of the Colonial Office. The paper marked B contains those questions which I propose to put to trustworthy persons resident in the colony through the kindness of private friends. With regard to the whole of these questions, we trust entirely to your Lordship's discretion, as to whether they, or any of them, are of a nature to be proposed by the Colonial Office to the authorities at the colony.

Once more thanking your Lordship for your kindness in not merely receiving our request in a cordial manner, but for entering into its details at so much length,

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) ARUNDEL AND SURREY.

NATAL.

(A.)

1st, Is there to be found in the southern district of Natal, or in the colony of the Cape of Good Hope (directing especial attention to Natal in the first place), an extent of one million of acres, or some hundred thousands of acres of available land, of reasonable fertility and well watered, with access to the coast, for the purposes of colonization?

In the event of Dutch, native, or other claims intervening, what is their extent, and what amount would be required to purchase them?

2nd. Is there to be found in the vicinity of a large block of available land in the southern district of Natal a river navigable for small craft, communicating with the sea, and possessing a harbour.

If there is a harbour, what are its capacities? If none, what roadstead might be made available in the vicinity for shipping, and at what cost?

3rd. Is it possible for the Natal Executive Government to acquire by treaty, to the southward of the Umzimbeulu River, in Faku's territory, an extent of one million or some hundred thousands of acres of well watered available land, for the purposes of colonization, with a harbour, roadstead, or river, accessible for small craft, in the vicinity; and what sum would be required to be expended in making such an acquisition?

4th. What is the class and progress of neighbouring emigrants.

N.B. It is hardly necessary to intimate that the questions as to possibility of obtaining land assume a good title, or the power of obtaining it, at an amount to be named as nearly as can be ascertained.

Also, where rivers are spoken of as navigable, it should be specified whether at all times of the year; and where they are spoken of as serviceable for irrigation, in like manner whether they are so throughout the year.

(B.)

As to exact locality best adapted for a settlement requiring some hundred thousands to a million of acres in colony of Cape of Good Hope, but especial attention being first paid to the southern district of Natal; the emigrants likely to go out being unskilled agricultural labourers, and the proportion of capitalists to the others being probably very small.

Information as to the prevalence of droughts and means of irrigation; rivers, whether available for navigation and accessible to the sea; harbours, or roadsteads capable of being made available as harbours, and at what probable outlay?

As to salubrity of climate; particular diseases (such as ophthalmia, &c.), whether for man or beast?

Evils incidental from insects (such as ticks, &c.); as to general salubrity, and average temperature?

Facilities of road-making and building, and cost? Value of labour?

Character, habits, and numbers of native population, and of settlers or occupiers of the land?

Facilities of communication with existing settlements? As to produce, what crops succeed best?

What average produce per acre?

Whether failure of crops happen? How frequently?

Minerals: probable facility of working them?

Character and progress of neighbouring emigrants?

Whether the ground generally be hilly or flat; and what are the crops available for the high and low lands?

As to brushwood, what proportion of the land covered with it, and expense of clearing?

How soon a return can be expected from cultivation in the way of providing food?

Expense and facilities of providing food for the emigrants until they can raise it?

Class and progress of neighbouring missionaries?

Best time for emigrants to go out?

Encl. 2 in No. 6.

Enclosure 2 in No. 6.

MY LORD,

Downing-street, Nov. 15, 1848,

I HAVE to acknowledge the receipt of your Lordship's letter of the 18th September last, on behalf of yourself and Mr. Monsell, M.P., enclosing certain queries relative to the possibility of acquiring an extensive tract of land, suitable for the formation of a new settlement, contiguous to some portion of Her Majesty's possessions in Southern Africa, and more especially to the district of Natal.

I regret that the records in this office do not supply the means of answering these inquiries; and I have, accordingly, in compliance with your Lordship's request, forwarded copies of them to the Governor of the Cape, with instructions to furnish me with a report upon them, which will be communicated to you so soon as it shall have been received at this Office.

But, at the same time, I think it right to suggest to your Lordship, that the projectors of the proposed settlement ought not to rely for the information which must guide their determination exclusively upon the report which they may thus obtain. You are already aware that Her Majesty's Government think it necessary to decline undertaking any responsibility as to the success or failure of the proposed settlement. The report therefore which will be called for from the Governor will be one confined strictly to matters of fact, and not pronouncing any opinion on questions on which a doubt can exist.

But I need hardly observe, that before any particular site for a settlement can be adopted with confidence, the comparative advantages of different localities will have to be carefully examined on the spot, and that much must be left to the discretion of the person by whom that examination is made. Hence I am of opinion, that it would be more satisfactory to all parties, if the projectors of this scheme were to send out from this country some competent surveyor or agent, on whose judgment they could rely, to ascertain in what particular quarter the settlement in question could be located, so as to afford reasonable expectation of ultimate success.

This plan has been adopted by the Canterbury Association, with reference to their projected settlement in New Zealand, as your Lordship will find at page 162* of the last Parliamentary Papers relative to that colony.

If your Lordship should concur in my suggestion, I should be prepared to request Sir H. Smith to give to the gentleman who may be deputed to examine the British territory in South Africa, with a view to the selection of a site for the proposed settlement, every facility in the prosecution of his inquiries.

The Earl of Arundel and Surrey.

I am, &c.,
(Signed) GREY.

NATAL.

* Papers presented by Command, Aug. 1848.

(No. 224.)

No. 7.

No. 7.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart., G.C.B.

SIR,

Downing-street, November 17, 1848.

I HAVE to acknowledge the receipt of your Despatches of 29th July last, Nos. 131 and 132,* forwarding transcripts of two Ordinances passed by the Legislature of the Cape of Good Hope, with a view to obviate certain defects in two Government proclamations, issued with respect to the recently acquired territory in Southern Africa, the numbers and titles of which are specified in the enclosed schedule.

* Page 18.

As I have already by my Despatch of 6th June and 5th August last, called for information as to the legality of the proclamations in question, I must postpone submitting these Ordinances for Her Majesty's pleasure, until I shall be in possession of your report on the subject.

Nos. 3 and 4.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I am, &c.,
(Signed) GREY.

Enclosure in No. 7.

Encl. in No. 7.

No.	SUBJECT.
3/48	To amend the Ordinance, No. 49.†
4/48	For rendering legal certain marriages supposed to be invalid.

(No. 228.)

No. 8.

No. 8.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart., G.C.B.

SIR,

Downing-street, December 4, 1848.

I HAVE received your Despatches of the 30th August last, Nos. 152* and 153,* reporting the circumstances under which you had sent a reinforcement of the 73rd Regiment, to Natal, and had provisionally authorized an augmentation in the native police force by 100 men, which the Lieutenant Governor of that district had, with the advice of his Council, made in consequence of the threatening position recently assumed by chief Panda.

* Pages 47, 51.

Under the circumstances of the case, and in reliance on the judgment of the local authorities, I have to convey to you my sanction for this increase in the police staff of Natal, but I have to add that the whole of the additional expense, which is involved in this arrangement, must be provided for from

† "Ordinance for admission into the Colony, under certain restrictions, of Persons belonging to Tribes beyond the Frontier thereof, and for regulating the manner of their employment as Free Labourers in the service of the Colonists."

NATAL.

colonial funds; and I approve of your having sent a portion of the Queen's troops to assist the native police in case of their aid being required.

I am, &c.,

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

(Signed) GREY.

No. 9.

(No. 240.)

No. 9.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G. C. B.

SIR,

Downing-street, December 27, 1848.

145, Aug. 10, 1848,
page 20.

146, Aug. 23, 1848,
page 25.

151, Aug. 30, 1848,
page 43.

155, Sept. 10, 1848,
page 57.

159, Sept. 18, 1848,
page 68.

I HAVE to acknowledge your Despatches of the numbers and dates noted in the margin, reporting the suppression of the revolt of the Boers north of the Orange River, and the re-establishment of order and of British supremacy over the district in which it originated.

2. I have to convey to you Her Majesty's approbation of the decisive and rapid measures by which you were enabled, at a single blow, to crush a rebellion which appeared likely to assume such formidable dimensions, and to disconcert, by one energetic action, the scheme which had evidently been conceived for seducing the loyal subjects and dependents of Her Majesty into an extensive conspiracy against Her authority. That such a conspiracy could have succeeded to any great extent seems highly improbable, from the account which you give of the general disposition of the people of the frontier, both of European and native race. But the thanks of the colony are not the less due to the vigorous conduct which suppressed the movement at the outset.

3. I have received also, with great satisfaction, your accounts of the behaviour of the gallant officers and soldiers who were engaged in the operations crowned with such complete success. The rapidity of their movements, and the order and precision with which they were executed, together with the gratifying fact which you report of their admirable condition in point of health throughout the campaign, speak most highly at once for their own discipline and powers of endurance, and for the forethought which was displayed by their leader.

4. I have every reason, likewise, as far as my information goes, to be satisfied with the proceedings which you have taken subsequently to the victory, and in consequence of it. But, with respect to the Proclamations which you have issued at Winberg, Bloem Fontein, and Smithfield, I wish to remind you of the instructions conveyed in my Despatch of the 21st June* last, in which I informed you, that the definitive sanction of Her Majesty's Government to your proposed policy respecting the district between the Vaal and Orange Rivers, was delayed until some farther report from you was received. Of course, the ratification (if any be requisite) of the measures which you announce in these Proclamations must form part of the general proceedings which it may then be necessary to take in order to give legal validity to your measures.

I have, &c.,

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

(Signed) GREY.

No. 10.

(No. 243.)

No. 10.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G. C. B.

SIR,

Downing-street, January 8, 1849.

* Page 73.

I HAVE received your Despatch, No. 171,* of the 21st October, reporting your return to Cape Town after a tour through the eastern districts of the colony, during which addresses of congratulation and of confidence in your administration of the Government of the colony were presented to you from various quarters, and you further report that the colony is at this moment tranquil and flourishing, and that the expenses of the expedition against the Boers beyond the Orange River will be defrayed from the fines collected from the insurgents.

* Pages 67, 68, Kafir Papers, presented by Command, July, 1847.

I am glad to learn that the reception which you met with during your tour was so gratifying, and I have to express the great satisfaction with which I have received this very favourable account of the state and prospects of the colony.

NATAL.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

(No. 245.)

No. 11.

No. 11.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR, Downing-street, January 10, 1849.

I HAVE received your Despatch of the 30th of August last, No. 154, * Page 54. forwarding the copy of a communication from the Lieutenant-Governor, Natal, reporting that he had granted the annual sum of 50*l.* in aid of an industrial school for the natives, and I have to request that you will convey to the Lieutenant-Governor the necessary sanction of Her Majesty's Government for the grant in question.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

(No. 264.)

No. 12.

No. 12.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR, Downing-street, February 5, 1849.

I HAVE been led to consider the question whether a wider definition of the classes eligible for a free passage might not be suitable to Natal than to the various colonies in Australia. Of course no free passages at all can be granted unless the means should be supplied either by deposits made in this country, by private individuals for the purchase of public lands, or else by any available revenue from land which may be received in the colony. But so far as any disposition may exist to invest capital in emigration to this interesting settlement, I have been anxious that no encouragement should be wanting which can, with propriety, be afforded; and I, therefore, called upon the Commissioners of Emigration to report whether, as so much native labour exists on the spot, some relaxation might not be advisable in the rules with respect to Australia, limiting the power of granting a free passage most strictly to the labouring classes.

I enclose an Extract from a Report by the Commissioners, containing all the remarks which they made on this subject, and I now have to acquaint you that I have authorized them to consider the following classes as eligible for a free passage to Natal:—

Dec. 8, 1848.

Agricultural labourers,
Mechanics,
Skilled labourers, and
Small farmers, accustomed to some manual labour, and intending
to work for their subsistence.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

Enclosure in No. 12.

Encl. in No. 12.

EXTRACT of a REPORT from the COLONIAL LAND and EMIGRATION COMMISSIONERS, dated
December 8, 1848.

" 13. THERE can, we think, be no doubt that the colony of Natal is differently situated in respect to its supply of labour from any of the Australian colonies. There is in Natal a native population estimated at from 80,000 to 100,000, who, it is asserted, could be readily

NATAL.

Parl. Paper, 1848,
p. 61.

Ibid., p. 43.

Ibid., p. 50.

Ibid., p. 164.

induced to work for wages. Mr. Cloete, in a Report dated so far back as November, 1843, had expressed an opinion that if they could be induced to exert themselves 'a more useful, tractable, inoffensive race could not be found anywhere than these Zoolahs.' Mr. West, in a letter to Sir P. Maitland, of 24th February, 1846, describes them as 'thriving, industrious, and, in general, harmless,' and Sir P. Maitland himself, in a Despatch dated 30th March, 1846, has remarked that 'the numerous natives settled on the land, who are generally of a docile character, would supply abundance of labour for the cultivation of the soil.' We observe, moreover, that in the memorial addressed to Lord Grey by the Natal Cotton Company who, being residents, must be well acquainted with the capabilities of the country, the employment of native labour was one of the means relied on for their success.

"14. It seems clear, therefore, that in Natal there is already a sufficiency of labour, and of a cheaper kind than could be supplied by the immigration of Europeans, and that, accordingly, it would not be necessary at present to encourage the immigration from Europe of any large number of the purely labouring class. What is required appears to be rather the skill and intelligence to direct labour than labour itself. If this be so, we think a sufficient ground is made out for relaxing in Natal so much of the rule applicable to the Australian colonies, as confines the assistance of emigration to those who go out strictly as labourers. It seems to us that the rule might properly be so far extended as to allow of assistance to skilled labourers, to those, for instance, who could act as overseers and directors of works, in subordination to the actual purchasers of land. But, considering the low price at which land is now sold in Natal, we do not think it would be desirable still further to reduce the price, by returning the whole or a portion of it to purchasers in the shape of free passages for themselves. Without entering on the political considerations which add so much interest to the early and rapid colonization of Natal, but which are of course beyond our province, we may observe that an additional reason for stimulating the emigration to Natal of people of a better education is to be found in the great influence which the white settlers in the district must have on the progress of civilization among natives."

No. 13.

(No. 281.)

No. 13.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart,
G.C.B.

SIR,

Downing-street, February 21, 1849.

1. Mr. Byrne, Dec.
18, 1848.

2. Mr. Byrne, Dec.
21, 1848.

3. Mr. Hawes to
Mr. Byrne, Dec. 26.

4. Emigration
Commissioners.
Feb. 12, 1849.

Four.

5. Mr. Merivale to
Mr. Byrne, Feb. 20.

6. Mr. Byrne,
Feb. 21.

1. I HAVE the honour to enclose, for your information and guidance, the accompanying copies of a correspondence with Mr. Byrne, and of a Report from the Emigration Commissioners, respecting the terms on which it has been agreed that Mr. Byrne may purchase Crown Lands at Natal, and carry on an emigration to that settlement.

2. I found that Mr. Byrne had travelled in various parts of the kingdom, and had convened public meetings, at which he had delivered lectures on the British Colonies, and especially on the advantages of Natal, and that he had accordingly excited a considerable interest in that settlement, but he represented that it would be likely materially to interfere with his views of promoting emigration to it, if he were obliged to send through the intervention of the Emigration Commissioners the persons whom he might entitle himself, by a deposit for the purchase of land, to nominate for a free passage. He did not ask to send out emigrants for himself, without making any previous deposit, and afterwards to claim an amount of land equivalent to the supposed cost of their passage. This is a course to which I think that there would be several well-founded objections. But you will see that the principle on which the present agreement with Mr. Byrne is founded, is as follows:—That he should deposit beforehand, like every other person, the amount which he wishes to invest in the purchase of Crown Land, but that instead of the Emigration Commissioners expending that sum in sending out emigrants for him, he may himself send such emigrants, if previously approved by them, with the condition that upon receiving back from the colony certificates that those emigrants have been satisfactorily landed, and are put in possession by Mr. Byrne's agents of certain definite quantities of land, he shall be entitled to be repaid out of his deposit 10% for each emigrant thus landed and established in the colony.

3. This is the outline of the scheme. For the details of it, I refer you to the enclosed correspondence, and especially to the Commissioners' communications with Mr. Byrne, in which those details are summed up. But you will observe that by a subsequent letter from this office, I thought it necessary to add two explanations, in which Mr. Byrne has readily acquiesced, respecting the upset price of any Crown Land he may acquire under this agreement, and upon the question of its renewal.

4. Anxious to seize the first practical opportunity of setting on foot emi-

gration to Natal, I have been glad to enter into this arrangement with Mr. Byrne, which appears to me to afford every fair advantage and security to the public interest, and which may at the same time, I hope, accelerate the settlement of Natal by the stimulus it will give to private enterprise.

NATAL.

I have, &c.,
 (Signed) GREY.
 Lieut.-General Sir H. G. Smith, Bart.,
 &c. &c. &c.

Enclosure 1 in No. 13.

Encl. 1 in No. 13.

MY LORD,

12, Pall Mall East, December 18, 1848.

I HAVE the honour to renew my application regarding the "promotion of emigration to Natal" in a different form; and, in doing so, I beg leave to inform your Lordship that there is a considerable number of persons preparing to proceed to Natal in case my proposition is acceded to. There is, moreover, a body of intending emigrants organizing in Hull and its vicinity, who would be willing, if concessions were made, to proceed to Natal, whereas otherwise they will settle in Iowa, one of the western states of America: in proof of this fact, I will forward, for your Lordship's inspection, the correspondence with me, if you desire it.

I presume, from the interest your Lordship's Despatches have evinced regarding Natal, that it is quite unnecessary to call your attention to the great necessity there exists for introducing a certain class of colonists into that country if we desire it should prosper and not become a heavy burthen to the mother country. In various of your Despatches you have declared your readiness to promote emigration to Natal in every possible way, provided such would entail no expenditure upon the national funds of Great Britain; and I now beg leave to submit a proposal to you, which will be entirely carried out by private funds, but under the inspection of Her Majesty's Government, premising that I have verbally explained to Mr. Elliot, Assistant Under-Secretary for the Colonies, the particulars of my plan more fully than it would be possible to set forth on paper.

1st. I would propose to deposit the sum of 1000*l.* or more in the Bank of England to the credit of Her Majesty's Emigration Commissioners, receiving, in the first place, an order for a like credit of land at sale by auction in Natal at an upset price of 4*s.* per acre.

2nd. I would propose that the sum of 1000*l.* would rest as a deposit in the hands of Her Majesty's Emigration Commissioners, to be returned to the depositors on the fulfilment of certain conditions.

3rd. I would propose to enter into private arrangements with parties willing to proceed to Natal; and in case such parties were mechanics, skilled labourers, or small farmers accustomed to some manual labour, single, or with their families, I would expect to be allowed a drawback of 10*l.* for each adult from the money deposited with Her Majesty's Emigration Commissioners,

4th. In all cases a list of persons for whom a drawback would be claimed should be submitted to Her Majesty's Emigration Commissioners for their approval, with power to revise the list; and previous to the sailing of the vessel with such approved emigrants, Her Majesty's Emigration Agent at the port of embarkation would be expected to inspect them, and give certificates as to the departure of the approved persons.

5th. On the receipt of certificates from the proper authorities at D'Urban, Port Natal, bearing evidence of the landing of the approved emigrants in Natal, 10*l.* per head for each adult, and proportionably for children, would be repaid the depositor out of the funds lodged by him.

6th. For myself, and those associated with me, I would undertake to give each approved emigrant on landing in Natal at least 20 acres of land in fee, with a right of choice out of at least double that quantity, and to secure such 20 acres to the approved emigrant in any way Her Majesty's Government may think fit to direct.

7th. I would, in the first instance, request the power to send out 500 approved emigrants on the deposit from time to time of the sum of 5000*l.*, in sums of not less than 1000*l.* each. This sum of 5000*l.* would at the upset price purchase 25,000 acres of land; but in case the emigration was conducted to the satisfaction of your Lordship, I would expect an extension of the right to 1000 emigrants.

The concession of the terms mentioned above would not be more than has been granted to the Natal Cotton Company, the members of which are resident at the Cape of Good Hope, and nothing more than what your Lordship declared your readiness to concede to others ready to promote the settlement of Natal. In proof of this I would call your attention to an extract of a Despatch from Lieutenant-Governor West, addressed to Sir H. Pottinger, recommending a drawback such as I ask. The Despatch is dated Pieter Maritzberg, August 19th, 1847, and says:—"I am also of opinion that, in the present state of this district and its population, every proper encouragement should be given by Her Majesty's Government to undertakings calculated to call forth the resources of the soil and the industry of the inhabitants, and especially to increase the number of civilized inhabitants. I conceive, however, the most expedient course of encouraging the importation of emigrants, and the cultivation of the districts, would be by allowing a drawback upon the public sales of Crown lands at the rate proposed of 10*l.* for each approved emigrant."

That recommendation of Lieutenant-Governor West was approved of by Sir H. Pottinger, and 25,000 at once crowded to the Natal Cotton Company without waiting for a decision from his superior authorities at home.

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On the receipt of the documents connected with the Natal Cotton Company, your Lordship not only approved of the act of Sir H. Pottinger, but gave power to the Company to acquire 25,000 acres more on the same terms.

In a Despatch of your Lordship's, dated January 20th, 1848, I find the following :—
“ I approve of Sir Henry Pottinger having sanctioned the purchase by the Company of 25,000 acres of land upon the understanding that they are to receive back 10*l.* for every approved immigrant who may be introduced by them into the colony, and that such immigrants shall be British subjects.”

My Lord, I might go further : I might quote from private letters addressed to parties from the Colonial Office, offering the very drawback, but I do not conceive it necessary. I feel assured all your Lordship requires is to know that the measure would be politic and likely to promote the immediate settlement of this fine colony.

In a communication I received from the Colonial Office, signed by Mr. Hawes, and dated November the 24th, reference is made to the Natal Cotton Company, and which says :—
“ The instructions to the Governors in this case was, that, upon having purchased a certain large tract of land, they should receive back 10*l.* for every immigrant whom they introduced.”

My Lord, this is the substance of what I ask ; and the only real point at variance is, whether immigrants should go through Her Majesty's Emigration Commissioners or be introduced by private parties.

I would have no objection personally to send the emigrants through Her Majesty's Commissioners, but I am well aware the parties themselves would not consent to go out through Government. The class of persons proceeding to Natal would not be mere labourers, such as are sent to Australia : they would be of a superior grade ; and if your Lordship insists upon their going through the Emigration Commissioners, and in their vessels, I can only say, a considerable emigration will be diverted from Natal to the United States of America.

I cannot but conceive that your Lordship will grant me the concessions I ask, when you consider the peculiar position of Natal, the policy of promoting emigration thither, and the vast tracts of land in the hands of private individuals ; more especially since, under Sir H. Smith's proclamation, some hundreds of Boers have returned, and are returning, to resume possession of their 6000 acre farms without any payment except survey expenses and transfer duty.

If your Lordship desire further information from me in respect to details, I would be happy to wait upon you at such time as you may appoint ; but, I believe, I have verbally put Mr. Elliot in possession of all particulars.

I now take the liberty of enclosing a small pamphlet on Natal, which I published three months ago. It is the result of my personal knowledge of Natal, acquired when I visited the colony in 1843-44, with condensed official information to bear out my statements.

In the course of the last six months, in various parts of the country, I have delivered upwards of 50 lectures on “ National Emigration,” at a very great expense to myself, as they have been, in all cases, free to the public ; and I have become perfectly satisfied that it is quite possible for me to divert a portion of that emigration of men of small capital, now flowing to the United States, to our own fertile colony of Natal ; and, in aid of my object, I now once more respectfully urge on your Lordship the policy of conceding what I have requested in this letter.

The Right Hon. Earl Grey,
&c. &c.

I have, &c.,
(Signed) J. C. BYRNE.

Encl. 2 in No. 13.

Enclosure 2 in No. 13.

SIR,

12, Pall Mall East, December 21, 1848

IN consequence of the interview I had the pleasure of having with you this morning, with reference to my proposal for the colonization of Natal, I now beg leave to state that I will guarantee the maximum cost of steerage passage to Port Natal, with the 20 acres of land, shall not exceed 10*l.* sterling, and that if any persons of the eligible classes go as intermediate passengers, there shall be some evidence that they have voluntarily paid the difference of charge for that class of accommodation.

And as a security for the fulfilment of these conditions, I consent that I shall have no claim to receive back the sum of 10*l.* for each passenger until a certificate has arrived from the colony, both that the people have been duly landed and that they are put in possession of their 20 acres of land.

T. F. Elliot, Esq.,
&c. &c.

I have, &c.,
(Signed) J. C. BYRNE.

Encl. 3 in No. 13.

Enclosure 3 in No. 13.

SIR,

Downing-street, December 26, 1848.

I AM directed by Earl Grey to acknowledge the receipt of your letter of the 18th instant, together with the explanatory note which you subsequently addressed to Mr. Elliot, dated the 21st instant, proposing a certain arrangement for the purchase of land at Natal and the conveyance of emigrants to that place, and I am to acquaint you that Lord Grey has much satisfaction in stating that he is enabled to approve of the general principles involved in the pro-

posed arrangement, and that he has authorized the Emigration Commissioners to settle with you more particularly the conditions upon which they may accept a deposit of money from you on the proposed basis, I am to request therefore, that, for the purpose of carrying the measure into practical effect, you will communicate with the Commissioners.

J. C. Byrne, Esq.,
12, Pall Mall East.

I am, &c.,
(Signed) B. HAWES.

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Enclosure 4 in No. 13.

Encl. 4 in No. 13.

Colonial Land and Emigration Office,
February 12, 1849.

SIR,

WITH reference to your letter of the 26th December last, enclosing a correspondence respecting emigration to Natal, which had passed between the Colonial Department and Mr. J. C. Byrne, and desiring us to arrange with him the details for carrying out the principles sanctioned by Earl Grey in this correspondence, we have the honour to transmit, for his Lordship's information, copies of the letters which have passed between Mr. Byrne and this office. We beg to add that Mr. Byrne has already submitted for our approval the names of some emigrants whom we have passed, and that we understand that his first vessel will sail in the course of next month.

Herman Merivale, Esq.,
&c. &c.

We have, &c.,
(Signed) THOMAS C. MURDOCH.
C. ALEXANDER WOOD.

Colonial Land and Emigration Office,
January 6, 1849.

SIR,

I AM directed by the Colonial Land and Emigration Commissioners to inform you, that they have received from the Colonial Office copies of the letters addressed by you to Earl Grey, on the 18th and 21st ultimo, and of Mr. Hawes's answer of the 26th ultimo, with instructions to take the necessary step for giving practical effect to the arrangements agreed upon in that correspondence.

The proposal made by you to Lord Grey, and accepted by his Lordship, appears to be as follows:—

That there should from time to time be deposited to the credit of the Commissioners at the Bank of England 5000*l.*, in sums of not less than 1000*l.* each. That for each sum so deposited an equivalent certificate shall be issued by this Board, available for the purchase of Government land in Natal. Such land to be put up to auction at an upset price of 4*s.* an acre. That you should undertake the conveyance to Natal of emigrants, consisting of mechanics, skilled labourers, or small farmers and their families, to whom you would engage to furnish a steerage-passage, with 20 acres of land, for the sum of 10*l.* per statute adult. That lists of such emigrants should be submitted to this Board for revision, and that the emigrants themselves should be inspected by an officer of this Board previous to sailing. That for each approved emigrant (two children between one and fourteen years being counted as one), who should land in the colony, there should be returned out of the amount deposited to the credit of this Board the sum of 10*l.*, on receipt from the colony of a certificate of the landing of the emigrant, and of his having been put in possession by your agents of the promised 20 acres of land.

The Commissioners will lend you their best assistance to carry out the arrangement which has been sanctioned. You are, of course, aware that every vessel carrying passengers in a larger proportion than 1 to 25 tons, is subject to the provisions of the Passenger Acts 5 and 6 Vic., cap. 107, and 10 and 11 Vic., cap. 103, and it will, therefore, be necessary whenever a vessel may be engaged for the conveyance of emigrants to Natal, that the circumstance should be reported to this Board, in order that the Emigration Officer at the port from which the vessel is to sail may be directed to make the survey prescribed by law. In the event of a vessel being dispatched from a port at which no Emigration Officer is stationed, the expense of sending an officer to make such a survey would devolve on the party engaging her, but as there are Emigration Officers at all the principal ports of the United Kingdom the Commissioners hardly anticipate such an occurrence.

In the selection of emigrants a greater latitude is allowed in respect to occupation and calling than is allowed in the Australian emigration. The Commissioners will not fail to keep this point in view in revising the lists submitted to them, but it will, of course, be necessary that all the emigrants, whatever their calling, should be of an age and state of health to enable them to render efficient service in the colony, and that they should be persons of good character.

In the certificate of the landing of the emigrant it will be necessary that there should also be included a certificate of his having been properly treated on the voyage. That certificate to be signed by such person as may be designated for the purpose by the local Government.

In respect to the allotment of land, you undertake to give to each approved emigrant on landing 20 acres. Some questions might arise as to the amount of land to be assigned to those beneath the age of statute adult, or to their parents on their behalf. It would be desirable that this point should be cleared up, and the Commissioners would, therefore, request to know the interpretation which you yourself place on this part of your proposal.

The Commissioners do not perceive that there are any other points in the scheme on which

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it is necessary for them at present to touch; but if any other points should occur to you as requiring consideration they will be happy to give due attention to any communication which you may address to them.

J. C. Byrne, Esq.,
&c. &c.

I have, &c.,
(Signed) STEPHEN WALCOTT, Secretary.

Natal Emigration and Colonization Office,
12, Pall Mall East, London.
January 17, 1849.

GENTLEMEN,

I HAVE the honour to acknowledge the receipt of your favour dated January 6th, and, in reply, I have to thank you for the distinctness of your communication in setting forth the chief features of the arrangement with me for the promotion of emigration to Natal. I have now only to call your attention to some minor details, in order that no possible misunderstanding may ultimately occur.

1st. The allowance of land to be given to children, which I set down at five acres each, 5l. being charged for their passage.

2nd. The payment of survey dues according to the Government scale in force in the colony and which is required by the Crown from all purchasers, together with 4 per cent. transfer duty.

3rd. As to the eligibility of intermediate passengers to be passed for drawback and allowance of land, if they prefer proceeding in the intermediate, paying the difference of passage-money between that and the steerage.

4th. That the concession of a right to deposit 5000l. and send out 500 adults, two children as one adult, is not regarded as final, but to be renewed if the emigration is conducted in all respects to the satisfaction of Her Majesty's Government.

5th. The concession as a favour of the right to transfer the payment of the return bounty to a party to be named by me, as it is my intention as soon as 300 or 400 emigrants have proceeded to the colony to go thither for a time myself, for the purpose of making permanent extensive arrangements for the reception and accommodation of future emigrants.

I think, gentlemen, that these five points embrace everything to which I have further to call your attention.

We have concluded arrangements with a surveyor of considerable experience, who will proceed to the colony in our employ, on the receipt of a letter which I have requested from Earl Grey, setting forth particulars of arrangement for the information of Lieutenant-Governor West, and directing his Honour to cause outline surveys of the land on which we intend to locate the first emigrants to be completed as soon as possible, so as to enable our surveyor at once to subdivide and prepare it for emigrants.

In a few days after the receipt of your answer to this, I will lodge the first thousand pounds, having submitted for your approval a body of intending emigrants not exceeding 100 in number, and I fully believe the first vessel will sail before the end of February.

I enclose a copy of a circular with particulars, many thousands of which I have had printed for distribution, together with a copy of the form of application as approved by you.

Thanking you for the attention yielded in this matter,

I have, &c.
(Signed) J. C. BYRNE.

Her Majesty's Colonial Land and Emigration Commissioners,
&c. &c. &c.

Colonial Land and Emigration Office,
Park-street, Westminster.
January 22, 1849.

SIR,

I AM directed by the Colonial Land and Emigration Commissioners to acknowledge the receipt of your letter of the 17th instant, calling attention to some minor details connected with your arrangements for carrying out emigration to Natal, which were not alluded to in Mr. Walcott's letter of the 6th instant.

1st. You propose that the allowance of land to children should be at the rate of five acres each. The Commissioners desire me to state that this appears to them a fair allowance.

2nd. You call attention to the payment of survey dues and transfer duty. These charges, according to the rule generally in force in the colony, are payable by the purchaser or grantee of land, and in your case, and that of your grantees, will, of course, follow the usual rule. The Commissioners, therefore, do not perceive that any special stipulation will be necessary on this point.

3rd. In respect to persons who might prefer paying the difference between an intermediate and a steerage passage the Commissioners would be prepared to allow the stipulated drawback of 6l. on their account in accordance with the proposition in your letter to Mr. Elliot of the 21st ultimo, which has received Lord Grey's sanction.

4th. The Commissioners understand that it is not the intention of Her Majesty's Government to limit the sums to be received from you to 5000l., but that if the emigration for which that amount will provide should be conducted to their satisfaction, they will be prepared to receive additional deposits from you on the same terms.

5th. There would not, in the opinion of the Commissioners, be any objection to the repayment to another party to be indicated by you, of such portions of the return bounty as might

from time to time become due, provided the party so indicated should be furnished with the necessary legal powers to receive the money and give an acquittance for it.

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J. C. Byrne, Esq.,
&c. &c.

(Signed) I have, &c.,
JOHN WALPOLE, Pro Secretary.

Natal Emigration and Colonization Office,
12, Pall Mall East, London,
February 6, 1849.

GENTLEMEN,

I HAVE the honour to acknowledge the receipt of your letter of the 22nd ultimo, and have to apologize for not replying to it earlier.

I now beg leave to acquaint you that I am perfectly satisfied with, and accede to, the conditions as set forth in that communication relative to emigration to the colony of Natal.

I have, &c.,
(Signed) J. C. BYRNE.

Her Majesty's Colonial Land and
Emigration Commissioners.

Enclosure 5 in No. 13.

Encl. 5 in No. 1.

SIR,

Downing-street, February 20, 1849.

I AM directed by Earl Grey to acquaint you that his Lordship has received from the Emigration Commissioners the correspondence which has passed between them and you, respecting the terms on which you shall be enabled to purchase land at Natal, and send emigrants to that settlement; and that his Lordship entirely approves of those terms, subject to two explanations, in which he feels no doubt that you will concur.

Although, for the sake of illustration, it is stated in the correspondence that you will deposit your money for the purchase of land which is to be put up to sale at 4s. per acre, it must be distinctly understood that the Government does not bind itself not to alter the upset price of land in Natal, and that you, in common with all other persons, must make your purchase of land, whether by virtue of deposits previously made in England, or by cash, under such general rules as may, for the time being, exist on the subject in the colony.

With regard to a renewal of similar agreements with you hereafter, there can be no reason to doubt that if the plan work as satisfactorily as Lord Grey hopes may be the case, the Secretary of State for the time being will be very willing to renew its operation; but Lord Grey cannot undertake to bind himself and his successors by any specific agreement about renewal.

J. C. Byrne, Esq., 12, Pall Mall East.

I am, &c.,
(Signed) H. MERIVALE.

Enclosure 6 in No. 13.

Encl. 6 in No. 13.

MY LORD,

12, Pall Mall East, February 21, 1849.

I HAVE the honour to acknowledge the receipt of Mr. Merivale's communication of the 20th instant, addressed to me by command of your Lordship.

In reply, I beg to state that I sincerely thank your Lordship for your approval of the general agreement concluded by Her Majesty's Emigration Commissioners with me, under your Lordship's sanction, for the promotion of emigration to Natal; and that I perfectly understand the reservations to which Mr. Merivale's letter refers, and approve of the same, considering the arrangement now definitely closed.

I need scarcely assure your Lordship, that it will be my endeavour to carry out the plan to the satisfaction of your Lordship, the Government, and the country; and I have no doubt that ere the close of another year, your Lordship will witness a considerable stream of respectable emigrants of moderate means flowing towards the fine, but long-unappreciated colony of Natal.

The Right Hon. Earl Grey,
&c. &c. &c.

I have, &c.,
(Signed) J. C. BYRNE.

(No. 282.)

No. 14.

No. 14.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, February 21, 1849.

1. WITH reference to my other Despatch, No. 281,* of this day's date, apprising you of an agreement with Mr. Byrne, respecting emigration to Natal, I have the honour to enclose two other letters from that gentleman.

* Page 92.

2. In the first of these letters Mr. Byrne observes, that it may take some time before he can duly purchase Crown lands for himself, but that he is about almost immediately to begin sending out emigrants; and that having acquired

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an estate from a Mr. Collinson, who, he states, has duly purchased it from the Crown, it would be very desirable that the survey of the outer boundaries should be expedited, in order to promote the early location of the emigrants. It is obviously much to be wished that no disappointment should be experienced by the early emigration to Natal; and if, therefore, Mr. Collinson's estates were duly purchased from the Crown, I should be very glad that the Lieutenant-Governor should comply with the request in Mr. Byrne's letter of the 17th January, unless it would seriously interfere with the other demands of the public service.

3. In his other letter, Mr. Byrne requests the use of any public buildings at D'Urban and Pieter Maritzberg which may not be fully occupied for the service of Her Majesty, for the temporary accommodation of the emigrants and their baggage. I am not aware that such buildings exist, but feeling the desirableness of giving every encouragement to the early efforts to create an emigration to Natal, and bearing in mind that in some other colonies it has been found desirable to have an emigrant barrack, I think that the Lieutenant-Governor will do well, if there be any available buildings, to allot them to the temporary reception of Mr. Byrne's emigrants.

4. In this, as in other respects, the principle by which I think the local government should be guided, is to afford every reasonable aid towards the success of the first endeavours to foster emigration to Natal.

5. In order to save time, I have sent copies of this Despatch and of my previous one, dated this day, direct to Lieutenant-Governor West.

Lieut.-General Sir H. G. Smith, Bart.,
&c. &c. &c. I have, &c.,
(Signed) GREY.

Encl. 1 in No. 14.

Enclosure 1 in No. 14.

Natal Emigration and Colonization Office,
12, Pall Mall East, London, Jan. 17, 1849.

MY LORD,

I BEG leave to inform you, that, based on the terms granted by your liberality for the purpose of promoting emigration to Natal, I have concluded such arrangements as will enable me to dispatch a vessel to Natal with emigrants before the close of the month of February. The applications already received are numerous; and I have no doubt that the concessions made by your Lordship will have the effect of inducing some thousands to proceed to Natal, who would otherwise have gone to the United States.

My entire exertions will be devoted to bringing before the public, by lectures, circulars, and pamphlets, the natural advantages of Natal; and I have no question but the dormant resources of this valuable colony will soon be developed in an extraordinary degree.

The parties in connexion with me, and myself, have engaged the services of a competent surveyor of considerable experience, whom we will send at once to the colony, for the purpose of subdividing lands for the reception of emigrants.

Calculating on considerable delay in the purchase at auction of waste Crown lands, we have concluded arrangements with Mr. F. Collinson, for the acquisition of some of his property in the colony to settle the first emigrants upon. The transfer dues on those lands were, according to the copy of a receipt which I hold, signed by Mr. Moodie, Colonial Secretary of Natal, paid on the 30th of October, 1847, into the Natal treasury; but the lands not being then required, the surveys have not been completed or the titles issued.

I now take the liberty of requesting from your Lordship a letter to the Lieutenant-Governor of Natal, calling his attention to the particulars of the concessions granted, and directing the outline survey of Mr. Collinson's land, in order that we may be in a position at once to put the emigrants in possession, perfectly understanding that all subdivision of lands will be performed by our own surveyor, who will sail immediately for the colony, on receipt of the letter I ask from your Lordship.

The land we will require to be surveyed in the first instance will all be in the neighbourhood of the capital, Pieter Maritzberg; that is, within 20 miles of the town; so that, in at once surveying, no difficulty will exist, but the success of the first body of emigrants will be very materially aided.

I take the liberty of enclosing to your Lordship a circular and a form of application I have had printed, having previously submitted them to the Land Board represented by Mr. Murdoch. I have had many thousands of the circular printed for the most extensive circulation, and they contain such facts as I feel certain must draw attention to Natal.

Thanking your Lordship for the ready attention paid to this undertaking, and the interest evinced on all occasions in the subject, I beg to remain,

Yours, &c.,
(Signed) J. C. BYRNE.
The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure 2 in No. 14.

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Encl. 2 in No 14.

SIR,

Natal Emigration and Colonization Office,
12, Pall Mall East, London, Feb. 10, 1849.

I HAVE the honour to acquaint you, that in the course of the next month, and probably every succeeding one, I shall dispatch a vessel to Port Natal with 70 or 80 emigrants, who have been approved of by Her Majesty's Emigration Commissioners.

The agent I have appointed there will have instructions to receive such emigrants on arrival, and render them all the assistance in his power in procuring suitable accommodation, and locate them on their land. But to insure their comfort in all respects, and to prevent any imposition on the part of lodging-house keepers and others, I beg to solicit from Her Majesty's Government the use of such buildings at D'Urban and Pieter Maritzberg as may not be fully occupied for the service of Her Majesty, for the temporary accommodation of the emigrants and their baggage.

I am induced to make this application from the conviction that the ultimate success of the colony greatly depends upon the judicious manner in which the first settlers are treated.

I have, &c.,
(Signed)

J. C. BYRNE,

T. F. Elliot, Esq.,
&c. &c.

(No. 308.)

No. 15.

No. 15.

COPY of a DESPATCH from Earl GREY to Governor Sir H. G. SMITH, Bart.,
G.C.B.

SIR,

Downing-street, April 23, 1849.

1. AMONG the communications which you have addressed to me on the subject of Natal, and of the policy to be observed towards the Boers, I duly received your Despatch No. 161,* of the 29th of September last, accompanied by a Minute of your Government which you had caused to be published in the Gazette, in explanation of the terms of your Proclamation of the 10th of February, 1848, relative to land claims in Natal.

* Page 71.

2. On the first receipt of that Proclamation, I observed to you that, while I felt no doubt that you had good reasons for the course you had adopted, I trusted you would not forget the important objects of the rule which has been for some years acted upon of alienating Crown lands in the colonies only by sale, and I pointed out the dangers which attach to extensive grants of land; but with these general remarks I stated that I should suspend my final opinion until I should receive your Report of the further development of your plans. To this intention I have adhered; but not having yet received any further Report from you on this question, and having thought it right to call for a Report from the Commissioners of Colonial Lands and Emigration upon the Minute of Government which you had issued in explanation of your Proclamation, I am unwilling any longer to defer sending you the enclosed copy of that Report, both because it contains a review which may be useful to you of the past transactions respecting the claims of the Boers, and also because it puts in a clear light the dangers which may be apprehended if their claims be admitted to the extent which was at one time contemplated.

20th Jan., 1849.

3. You will observe that the Commissioner appointed to investigate these claims was a Dutch gentleman supposed to be peculiarly acceptable to the Dutch farmers; that he recommended concessions which, although falling short of the extravagant claims presented to him, were yet of a liberal character, but that, nevertheless, they failed to retain the farmers in whose favour they were made. This fact seemed to indicate that their fresh emigration must have arisen out of other and perhaps more deeply-seated causes than dissatisfaction with the extent of land assigned to them. On the other hand, I cannot deny the force of the representations which you described in your Despatch of the 10th† of February, 1848, as having been made to you by the Boers whom you met among the mountains, in the act of emigration, on your visit to Natal; nor am I insensible of the influence which it was natural that these representations should have upon your mind, and it is possible that, with the knowledge which you possessed of this people, your measures may have been more successful than those by which they were preceded in keeping them within the British territory.

4. But even if they should be retained within it, I cannot advert without uneasiness to the vast extent of the claims which have been rendered admissible

† Page 211 of Papers relative to Natal, presented to both Houses of Parliament by Command, July, 1848.

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by your Proclamation, as further explained by the Minute which you have transmitted to me. It appears by the Report of the Commissioners of Colonial Lands and Emigration that when Mr. Cloete first inquired into the subject, claims were inscribed which might be computed to require 10,680,000 acres for their satisfaction; and unless your Minute of Government has been misunderstood, it would more than re-open all of those former claims, for it states that the local Commission may entertain the demands of all persons, whether or not they claimed farms registered at the time of the previous inquiry. Now I am quite aware of the uncertainty which must attend these transactions. It is possible that the Boers may have again become restless, and have omitted to take advantage of the offers made to them; or if they have remained, it may have happened that the Land Commissioners will have conducted their investigations with the strictness necessary to prevent any serious public injury from the extent of land which they will recommend to be granted. But considering the vast amount of the former claims which I have above referred to, you will perceive that it is impossible that I should not look forward with great anxiety to the issue of the inquiry to be instituted by the Commissioners.

5. If the result of your measures should be that a very limited number of Dutch Boers should become possessed of some millions of acres in the district of Natal, it is plain that the consequences must be most prejudicial to the welfare of the settlement. If the persons who obtain these grants should continue to be restrained from alienating their lots, as is proposed by your scheme, it is certain that they could not themselves turn such large tracts of ground to the best account, while their holding so much land unimproved in their possession would involve the necessity of dispersing future settlers over a wide extent of territory, with all the evils resulting from that dispersion. If, on the contrary, the contemplated restriction on the power of alienation by these grantees were removed, an inconvenience of a different kind would follow, by throwing so much land into the market that there would be no chance of selling that still retained by the Crown at a reasonable price, and that the resources which ought to be available for the introduction of emigrants, and for constructing roads and other public works which are necessary on the first occupation of a territory hitherto uninhabited by a civilized population, would be lost.

6. For these reasons, I earnestly hope that the conclusions of the Commission of Inquiry may have been reasonable and moderate, and at all events that, if they should have been of a character to involve such serious public consequences as are above adverted to, any measures for carrying their recommendations into effect may have been suspended by you until you could receive instructions from Her Majesty's Government.

7. As it would have been impossible to communicate with you before the conclusion of the inquiry, which was appointed to close in February last, my chief object in the present Despatch has been to put you in possession of the information contained in the enclosed Report, and of a general intimation of my views on the subject. But I think it right to add that if any accident should have led to an extension of the period of inquiry, or if the question as to the amount of grants to be made should still remain open, I consider it of the utmost importance that the grants to be made should be restricted within the narrowest possible limits.

Lieut.-General Sir H. G. Smith,
&c. &c. &c.

I have, &c.,
(Signed) GREY.

Encl. in No. 15.

Enclosure in No. 15.

SIR,

Colonial Land and Emigration Office,
January 20, 1849.

161, Sept. 29, 1848.

WE have the honour to acknowledge the receipt of your letter of the 29th ultimo, enclosing for our consideration and report, a Despatch from the Governor of the Cape of Good Hope, accompanied by a Minute of Government, dated 24th May, 1848, explanatory of his proclamation of the 10th February, 1848, relative to land claims in Natal. In transmitting this Despatch, you call our attention to the question whether the object proposed by the last part of the 5th section, can be legally effected by means of a clause in a grant? You also refer us to Lord Grey's Despatch to Sir H. Smith, of the 19th June last, No. 142,* for the

* Page 221 of "Natal" Papers, presented to both Houses of Parliament by Command, July, 1848.

opinion which his Lordship has expressed on the general subject of concessions of land in the Natal district.

2. The minute, as the Governor states in his covering Despatch, has been issued for the purpose of clearing up doubts as to the regulations relative to the occupation of land, and he adds that as it is strictly in accordance with the proclamation of the 10th February, it is not necessary to trouble Lord Grey with any further remarks on the subject. We presume that at the date of this Despatch, 12th September last, the Governor had not received Lord Grey's letter of the 19th June last, in which his Lordship noticed the Proclamation, and stated that he should wait for the further development of Sir H. Smith's measures. Until his answer to that letter is received, it may be premature to discuss the policy of the proclamation of 10th February; and in this Report we shall chiefly confine ourselves to an examination of the Minute, prefacing our remarks by a statement of the course which, previously to the issuing of the late proclamation, had been taken to adjust the claims of the Boers.

3. It will be remembered that by Sir George Napier's proclamation of the 12th May, 1843, issued with reference to Lord Stanley's Despatch of the 13th December, 1842, Mr. Henry Cloete, a gentleman supposed to be peculiarly acceptable to the Dutch farmers, and on that account selected by Government for the office, was declared to have been appointed Commissioner of the Natal district for, among other things, inquiring into and reporting upon all land claims. On the 8th September, 1843, Mr. Cloete made his first Report, and we now refer to it as assisting the consideration of the present Minute, and explaining references to the different classes of claimants, which otherwise would not be intelligible.

4. Mr. Cloete's first Report, dated 8th September, 1843, was framed in answer to a memorial addressed to him by the Volksraad, the Dutch Council established at Pieter-Maritzberg, and who sought to have their lands secured to them according to their own laws. The proclamation of sovereignty had announced, that no claims to land would be recognized, except in the case of *bonâ fide* occupation, for 12 months before the arrival of the Commissioner. But as far back as 1841, the Volksraad had passed laws, determining the right of burghership, and the possession of lands and fixed property; and one provision of their law was, that every person, married, or above 21 years of age, who had arrived within the Natal district before a certain date, should be entitled to two farms of 3000 morgen, or about 6000 acres each, and also to one town allotment; and if he had arrived after that date, to only one farm and one town allotment; and that every youth from 15 to 21 years of age, bearing arms, should likewise be entitled to the smaller quantity. A registry book was also established, in which any person finding a plot unoccupied, might register his claim to it upon paying a small fee, upon which he received from the land-drost or secretary of the Volksraad, a certificate of registration, which conferred on him a prior claim to the land, subject to its subsequent inspection by a field cornet, and the report of the Land Board; and when a grant of the land was issued, the grantee became liable to make an annual payment to the Treasury. No person, however, other than a "burgher" of the republic could hold lands or fixed property; and the rights of burghership were restricted to such of the Dutch emigrants and their children as were then residing, or should come to reside in the province before the 1st December, 1841, and should be sworn in as burghers, and such strangers or foreigners as after residing in the district for 12 months, should obtain a certificate of character from the land-drost, or field cornet, or two inhabitants, and should thereupon be sworn in by the Council. The copy of this law will be found with Mr. Cloete's Report, 8th September, 1843.

5. The Volksraad having petitioned, that the system thus established by them might be maintained, it was on this memorial, as we have before stated, that Mr. Cloete's Report was based. He found on inspecting the Registry Book, that there were enregistered in it claims to no less than 1780 farms, which taking the farms at the ordinary size of 3000 morgen each, would comprise 10,680,000 acres, or more than one half of the whole of the estimated area of the Natal district within the Drakensberg range; or taking the farms at 2000 morgen each, would comprise rather more than 9,000,000 of acres. But Mr. Cloete discovered further that of the farms thus claimed, only 760, which would probably comprise between three or four millions of acres, had been actually inspected and reported upon, so as to justify the parties, even under the Volksraad law, in preferring claims for grants.

6. In respect to the claims founded on the mere inscription of the name in the Registry Book, Mr. Cloete reported that in by far the greater number of cases, the holders of these certificates were unable to occupy the land which they claimed, and had sold their claims for a trifle to farmers or speculators, who had thus possessed themselves of claims to 30 or 40 farms. He pointed out, that if therefore the prayer of the memorial were acceded to, the whole benefit would be reaped by a few speculators, and not by the earlier immigrants. And he added that adhering to the principle of occupation recognized in the Proclamation of Sovereignty, but applying it liberally for the interest of the Boers, the whole of these claims might be satisfied by the concession of about 1,560,000 acres. He proceeded to divide the cases into three classes.

1. Those of persons who either by residence, occupation, or cultivation, had undoubted claims, under Lord Stanley's Despatch, and the Proclamation of Sovereignty.

2. Those who had *bonâ fide* occupation land for 12 months, but not immediately before the Commissioner's arrival, as required by the Proclamation.

3. Such special cases as required each a separate consideration. The bulk of the claims were included in the 1st and 2nd classes, the first comprising 200 persons, and the second 173. We have thought it necessary to explain fully this classification as essential to a clear understanding of the references in the present Minute.

6. The system established in conformity with Mr. Cloete's Report, continued in force till the

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Report, 1848, p. 56.
Ditto, p. 54.

proclamation of 10th February, 1848, and each claim, after a careful examination in the colony, was separately considered at this Board. We need scarcely add that every desire was felt at this Board to make such reasonable concessions, and to suggest such modifications as appeared best calculated to induce the Boers to remain settled on their lands, although, at the time, great apprehensions were entertained that the effort would prove unavailing. The local authorities also had a discretionary power, which they exercised, of making the grants larger than was considered at home advisable; and it will be remembered that both Sir F. Maitland and Sir Henry Pottinger extended the grants, with a view to retaining the Boers. The nature of these modifications may be seen in the passages of our General Report, referred to in the margin.

7. The former policy, however, with reference to the land claims of the Boers has been superseded by the present Governor, who has appointed a Land Board for the decision of all claims to land, and in his present Minute has expressed his opinion, "that the 12 months' occupation test prescribed by the proclamation of 12th May, 1843, and by the application of which the claimants were originally divided into two classes, Nos. 1 and 2, was a test but ill adapted, in most instances, for the ascertaining of real merits and well grounded claims." What has been done since 1843, for the purpose of settling these claims may, therefore, now be considered obsolete,—the Land Board having authority to re-open every case.

8. The measure thus adopted by Sir H. Smith cannot be regarded in the light of an ordinary regulation for the disposal of land. On the contrary, it involves so many considerations of a political nature with which it would be beyond our province to deal, that we abstain from entering on the subject, more especially in the absence of Sir H. Smith's answer to Lord Grey's Despatch of the 19th of June last. We may, however, observe that Sir H. Smith's objection to the occupation clause in the Proclamation of Sovereignty is confirmed by observations in the correspondence to which we have had access, and is even assigned as one cause of the migration of the Boers, by Lieutenant-Governor West, who does not concur generally in Sir H. Smith's policy.

9. We will now proceed to examine the Minute upon which we are desired to report, and in doing so we will notice each Section separately.

10. Section 1. The Land Commission is directed to receive such claims and applications as shall be addressed to them, whether by persons claiming registered farms, or farms not registered; or whether by persons who have come into the district since Sir H. Smith's proclamation, or were resident there previously. The avowed object is to ensure uniformity of practice in the decision on such claims, which, it will be remembered, extend to many millions of acres. But the effect is to supersede the authority of the Lieutenant-Governor in all questions relating to land, whether connected with the claims of the Boers or other parties, and it will, of course, give rise to appeals from all parties with reference to whom the Lieutenant-Governor may therefore have adopted an unfavourable decision.

11. Sec. 2. The distinction between the classes numbered 1 and 2 is abolished; meaning, we presume, that no distinction is to be made between the claimants classed by Mr. Cloete. No. 1, as having *bonâ fide* occupied their lands in conformity to the Proclamation of 1843, for 12 months immediately before the arrival of the Commissioner; and No. 2, as having *bonâ fide* occupied for 12 months, but not immediately before the Commissioner's arrival. The claims of the same individual to more than one registered farm, also seem to be admitted by this section; but upon those in Class No. 2, who receive a full farm of 6000, instead of 3000 acres, a restriction against alienation is imposed. It appears to be intended to give to all claimants in Class 1, and a certain number in Class 2, their lands absolutely; and that the heirs of original claimants, or the purchasers from them, although they may have acquired a plurality of claims, will, nevertheless, be entitled to have their inchoate rights confirmed. In respect to the abolition of the distinction between *bonâ fide* claimants under Classes No. 1 and 2, we see nothing to object to. Indeed it seems evident that Mr. Cloete himself would have put them on the same footing, had he not been restrained by the letter of his instructions; and there is clearly no ground of justice on which *bonâ fide* occupiers, whose occupation had from accidental circumstances been interrupted during the 12 months preceding the arrival of the Commissioner, should be thereby deprived of their claim to consideration.

12. Sec. 3. Claimants merely registered by the Volksraad, but not classed in Classes 1 and 2, and whose farms had not even been inspected by the Dutch Land Board, are recognized as claimants on the same terms as those in Class 2, and "purchasers and others duly claiming under them are to be treated as if they themselves were such original emigrants." It is impossible to form any accurate calculation of the quantity of land which may be alienated under this and the foregoing section; but it has been shown above, that the number of claims registered at the date of Mr. Cloete's arrival was 1780, and that they would probably extend over 10,680,000 acres. There is, however, an important qualification to the privilege guaranteed by this section; viz., that no claimant under it will be empowered to convey any interest whatever to a purchaser, unless such sale shall be effected within the limits of the district, and with the approval of the new Land Commissioners; and further, that all persons receiving grants under this section will be subject to rules, against alienation and removal from the district, mentioned in the 5th Section. This qualification, if properly acted up to, may perhaps put some limit to the otherwise unbounded liberality with which the land is given away.

13. Sec. 4. Authorizes the grant out of the land beyond the Tugela of a farm of 3000 morgen to each emigrant subject from the Drakensberg or the country beyond, or who, though in the Natal district, may be unprovided with a farm, or who, having been once registered, may have sold his claim. And if any of the last class shall pay into the district treasury a

sum not exceeding the amount for which he sold his claim, the Commissioners may recommend him for a farm in any other part of the district. Grants made under this clause are also to be subject to the conditions as to alienation. Here, again, it is evidently impossible even to conjecture the amount of land which may be liable to be conveyed away to claimants.

14. Sec. 5. All grants, when conveying more than 2000 acres, made to claimants in Class 2, and to claimants under Sections 3 and 4, will be so worded as to ensure that the grantees and their heirs shall not for seven years sell or let the farms without the Lieutenant-Governor's consent; and to prevent an evasion of this condition, it is further declared that these grants shall contain a stipulation that the lands shall temporarily be free from legal execution. To this point our attention has been specially directed in your letter, and we have been desired to state whether, in our opinion, such an object can be legally effected by means of a clause in a grant. In reply, we have to state that such a condition could not, in our opinion, be inserted in a Crown grant; but it would not, we conceive, be impossible for the local authorities to give effect to their intentions by a legal instrument, although the trusts and limitations necessary in such an instrument, to secure the Crown's reversion, would be wholly inconsistent with the character of a Crown grant.

15. Sec. 6. Authorizes an exchange of a farm on the coast, consisting of 3000 acres for one inland, consisting of 6000 acres. As it is stated that the land on the coast is adapted to agricultural purposes, while that in the interior is fit only for pasture, we see no objection to this clause.

16. Sec. 7. Authorizes the Lieutenant-Governor to act upon the Report of the Land Commission in every case in which they shall recommend a grant. This, we have reason to believe, has led to a correspondence between the Governor-in-Chief and the Lieutenant-Governor; and to the former undertaking the decision of these cases. In respect to this supersession of the authority of the Lieutenant-Governor, it is not a question on which it belongs to us to offer an opinion.

17. Sec. 8. Declares that the Proclamation of 10th February, 1848, the Minute now under consideration, and the Land Commission, shall all expire on the 10th February, 1849. That period is so near at hand, that any immediate interference on the part of the Secretary of State is now impossible. We take it for granted, however, that Sir Henry Smith will hereafter report fully, for the information of Earl Grey, the manner in which his measures have worked. The number of settlers, who have been permanently secured through their operation, and the amount of land thus alienated gratuitously, and the amount still at the disposal of the Crown.

18. The latter point is one which we cannot but regard with great anxiety. The measures of Sir Henry Smith involve, as we have before observed, so many considerations besides the mere management of the Crown estate, that we do not presume, in the absence of a Report from himself, to express any opinion on their policy. But we cannot shut our eyes to the fact that if the Proclamation of the 10th February last, and the Minute of the 10th May, should have been brought into extensive operation, a very large proportion of the land in Natal will already have passed out of the control of the Crown. The whole land in the district was estimated by Mr. Cloete at about twenty millions of acres; but we have shown that under the first three Clauses of the Minute of 24th May it is possible that many millions of acres may have been alienated, while the fourth Clause would let in other claimants, those, namely, who had sold their original rights and were prepared to refund the price, whose number we have no means of estimating, although from Mr. Cloete's account it is probably large. Considering the disposition to emigrate to Natal, which appears to be springing up in England, and the remarkable aptitude of that country for raising the produce most valuable to our manufactures, it would be much to be lamented that any difficulty in the acquisition of land should arise to check the settlement of Englishmen in that colony. It is true that, under ordinary circumstances, there would probably be little indisposition on the part of the Boers to sell their land to the new comers; but such a course would defeat the main object of Sir H. Smith's measures, and would, to a certain extent, be impeded by the conditions against early alienation which it is proposed to insert in the grants. We have thought it our duty to bring these circumstances under Lord Grey's attention.

19. Another point connected with this subject, which we take the liberty of also bringing under his Lordship's notice, is the importance that the claims of the Boers should be brought to the earliest possible conclusion, in order to set free the Survey Department for the survey of that portion of the Crown estate which is to be thrown open to purchase at auction. It was announced in the Proclamation of the 10th February, that every person in the occupation of land should receive his diagram and title with the least possible delay, a notice which would appear to confer on the Boers a prior right to the services of the Government surveyors. But the first ship with English emigrants for Natal, under the agreement recently concluded with Mr. Byrne, is to leave this country in the course of next month; and, if we are rightly informed, other ships will be despatched in quick succession throughout the year. The emigrants going out in these ships have contracted with Mr. Byrne to be put on land immediately on their arrival; and we understand from Mr. Byrne that he has purchased from a private individual a claim to sufficient land for this purpose. But it will be necessary that the boundaries of this land should be immediately surveyed, to enable Mr. Byrne to perform his contract with the emigrants; and so long as the Boers' claims remain open, the Survey Department will be almost exclusively occupied with them. We have also been informed that there are other parties who contemplate purchasing land in Natal, for the purpose of forming settlements on it. No such arrangements, however, can be concluded until the Local Government shall have ascertained what land it has at its disposal, and shall have had a sufficient

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amount of it surveyed. We would, therefore, submit that the Government should be instructed at once to take steps for undertaking the survey of the land which will remain at the disposal of the Crown after the claims of the Boers have been satisfied; and that, when surveyed, a sufficient quantity should be put up to auction, and if not disposed of at auction should remain open, in the usual manner, for purchase at the upset price.

20. In conclusion, we would beg to observe that in our Report of the 13th July, 1844, we submitted a course with reference to issuing and registering Crown grants in Natal; and we would beg leave to avail ourselves of this opportunity of suggesting that it may be desirable to inquire of the authorities what steps have been taken to preserve a proper record of Crown titles in that district.

Herman Merivale, Esq.,
&c. &c.

We have, &c.,
(Signed) T. W. C. MURDOCH.
C. ALEXANDER WOOD.



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